

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

FIFTEENTH CONGRESS
First Regular Session
HOUSE BILL NO. 4685

Introduced by HONORABLE LANI MERCADO-REVILLA

EXPLANATORY NOTE

The number of deaths from road accidents has been increasing for the past few years. It is estimated that road crashes kill 1.3 million people globally each year.

Last April 28, 2011, President Benigno S. Aquino III, in recognition of the high incidence of road crashes and the alarming number of traffic accidents as a major public concern, signed Proclamation No. 159 which declared 2011 as the launching year of the Decade of Action for Road Safety: 2011-2020.

The recent death of Journalism Prof. Lourdes "Chit" Estrella-Simbulan of the University of the Philippines Diliman shows that traffic rules along Commonwealth Avenue in Quezon City are not strictly implemented because the 60 kilometers per hour maximum allowable speed set early this year by the Metro Manila Development Authority runs counter to the maximum allowable speed set in Republic Act No. 4136 for passenger cars and motorcycle which is pegged at 40 kilometers per hour and 30 kilometers per hour for motor trucks and buses.

Between 2006-2008, there were 1,253 reported traffic accidents involving motor vehicles. From January to October 2010, the Philippine National Police Highway Patrol Group revealed that a total of 14,487 vehicular accidents occurred in the Philippines. In Metro Manila alone, deaths from road accidents reached 380 in 2010 according to the Metropolitan Manila Development Authority Metro Manila Accident Reporting and Analysis System.

During the 14th Congress, Rep. Monico O. Puentevella and Sen. Ramon "Bong" Revilla Jr. filed their version of the road safety measure. Unfortunately, it did not become a law. Thus, at the beginning of the 15th Congress, Sen. Revilla filed his version of the road safety bill, namely: Senate Bill No. 24 which seeks to integrate regulations relating to traffic rules and road safety which are scattered in several legislative acts, decrees, orders and other issuances.

This present bill on road safety contains 146 sections and 22 articles which encompasses a wide range of road safety matters which transpired from the consolidation of transport bills proposed before the Senate Public Service Committee during the 12th and 14th Congress. The bill seeks to consolidate measures relating to traffic rules and road safety to avoid contradiction and confusion among the public as to what regulations should be followed in order to curb accidents and widespread violation of traffic rules and regulations.

In this light, the proposed bill not only integrates relevant existing laws but also combines new regulations that will promote travel safety which will minimize if not prevent road accidents from happening in the country.

In view thereof, approval of this bill is urgently recommended.


REP. LANI MERCADO-REVILLA
2nd District, Cavite

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Introduced by HONORABLE LANI MERCADO-REVILLA

**AN ACT PROVIDING FOR A UNIFORM RULES AND REGULATIONS RELATING TO
THE ENFORCEMENT OF THE PHILIPPINE TRAFFIC SYSTEM, AMENDING
REPUBLIC ACT NUMBER 4136 OTHERWISE KNOWN AS THE "LAND
TRANSPORTATION AND TRAFFIC CODE" AND OTHER RELATED LAWS, AND
FOR OTHER PURPOSES**

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

**ARTICLE I
GENERAL PROVISIONS**

SECTION 1. *Title of the Act.* This Act shall be known as the "Road Safety Act of the Philippines".

SECTION 2. *Scope of Application.* This Act shall apply to the management of land traffic on all roads, streets, thoroughfares and highways within the territorial jurisdiction of the Philippines, including those in subdivisions regardless of the nature of its ownership, where the protection ore preservation of public safety, health, comfort, morale, welfare or general well-being of the inhabitants, require the enforcement thereon of any of the provisions of this Act.

SECTION 3. *Obedience to Members of the Police Force.* Every pedestrian and driver shall, at all times, obey the signal by hand of a member of the police force in uniform or reasonable oral instructions on any member of the police force, including duly authorized traffic aides irrespective of any provision contained in this Act.

SECTION 4. *Exemptions for Emergency Vehicles.* Any provisions in this Act to the contrary notwithstanding, the driver of any emergency vehicle may when expedient and safe to do so:

1. On reducing speed and sounding a siren, bell or repeater horn, proceed past a traffic control signal displaying a red or amber circle or a red or amber arrow or proceed contrary to the direction or instruction of any traffic-control item;
2. On sounding a siren, bell or repeater horn, drive in any direction or on any part of a road or overtake or pass on either side of another vehicle;
3. Stop, leave waiting or park the vehicle at any space at any time;
4. Exceed the speed limits prescribed in Section 44 of Article X.

**ARTICLE II
DEFINITIONS**

SECTION 5. *Definition of Words and Phrases.* Unless inconsistent with the context or subject matter, the following words and phrases have the following meanings:

- (1) "Accessories" means the device or apparatus that can be connected to the cellular phone such as, but not limited to, earphones, microphones, jacks, capable of sending, receiving, storing or other gadgets of communication;
- (2) "Articulated vehicle" shall mean a motor vehicle having at its rear a portion of wheels which is pivoted to, and a part of which is super-imposed on and supported by the front portion of the vehicle;
- (3) "Bicycle" shall mean any two-wheeled vehicle designed to be propelled solely by human power;
- (4) "Bicycle path or lane" shall mean a way established for the exclusive use of bicycles including tricycles propelled by human power but excluding pushcarts and animal-drawn vehicles;
- (5) "Built-up area" shall mean a length of road on which there is substantial building development;
- (6) "Bus" means a motor vehicle with motive power, except a trailer, designed for carrying more than 10 person;
- (7) "Cargo" shall include chattel, personal and other movable property;
- (8) "Cargo vehicle" shall mean any vehicle designed and ordinarily used primarily for the carriage of cargo;
- (9) "Center" in relation to a thoroughfare shall mean a line or series of lines, marks or other indication placed at or near the middle of the thoroughfare or in the absence of any such lines, marks or other indications, the middle of the marked traveled portion of the thoroughfare;
- (10) "Cellular Phone" means a mobile hand-carried phone which can send messages through short messages sending or text messaging or through dial up system of communication like the telephone;
- (11) "Clearway" shall mean a length of thoroughfare indicated by appropriate signs where the standing or stopping of vehicles for purposes of parking or loading or for any purpose which would obstruct the flow of traffic, is prohibited;
- (12) "Assistant Secretary of the Land Transportation or his deputies" shall mean the actual or acting head of the Land Transportation Office or such representatives, deputies, or assistants as he may, with the approval of the Secretary of Department of Transportation and Communications, appoint or designate in writing for the purpose contemplated by this Act.
- (13) "Continuing road" in relation to an intersection shall mean a road which, by virtue of its traffic functions, statutory designations and/or physical form is continuous through the intersection;
- (14) "Dangerous substance" shall mean a substance which by its very nature may cause harm, damage or injury to persons or property;
- (15) "Dealer" shall mean every person, association, partnership, or corporation making, manufacturing, constructing, assembling, remodeling, rebuilding, or

setting up motor vehicles; and every such entity acting as agent for the sale of one or more makes, styles, or kinds of motor vehicles, dealing in motor vehicles, keeping the same in stock or selling same or handling with a view to trading same.

- (16) "Driver" shall mean any person driving or in control of a vehicle;
- (17) "Electrical Accessories" shall mean the horn, brake, headlight and turn signals.
- (18) "Emergency Vehicle" shall mean a motor vehicle;
 - (a) Conveying members of the police force on urgent police duty;
 - (b) Conveying members of fire brigade traveling to or on duty at any place in consequence of a fire or an alarm of fire;
 - (c) Being an ambulance or any other vehicle, answering an urgent call or conveying to a hospital any injured or sick person urgently requiring treatment;
 - (d) Being used to obtain or convey blood or other supplies, drugs, or equipment for a person urgently requiring treatment which may or may not carry a siren, bell or repeater horn for use as warning instrument; or
 - (e) Duly authorized as an emergency vehicle for purposes of this Act by the appropriate authority.

All emergency vehicles shall carry flashing lights of such color as may be prescribed by the proper authority;

- (19) "Engage in a call"
 - (a) Means talking into or listening on a handheld cellular telephone.
 - (b) Does not include holding a cellular telephone with which a user engages in a call using at least one hand.
- (20) "Explosive" shall mean a substance used to produce an explosive effect. Explosives are either solid or liquid, either mixtures or single compounds, and act by explosive chemical reaction, liberating at high speed heat and gas, which causes tremendous pressure, such as mixtures of combustible but nonexplosive material with oxidizing agent, not limited to organic nitrates, nitro substitution products or mixtures, and fulminating powders;
- (21) "Expressway" shall mean a length of road generally with limited access for vehicles or pedestrians to obtain continuous flow through traffic designated as such by means of appropriate signs. The term may also include a freeway, skyway and tollway;
- (22) "Footway" shall include every footpath, lane or other place intended for the use of pedestrians and not by vehicles, except where bicycle lanes are permitted;

(23) "Garage" shall mean any building in which two or more motor vehicles, either with or without drivers, are kept ready for hire to the public, but shall not include street stands, public service stations, or other public places designated by proper authority as parking spaces for motor vehicles for hire while awaiting or soliciting business.

"Gross weight" shall mean the measure weight of a motor vehicle plus the maximum allowable carrying capacity in merchandise, freight and/or passenger, as determined by the Assistant Secretary for Land Transportation.

(24) "Handheld cellular telephone" means a cellular telephone with which a user engages in a calling using at least one hand.

(25) "Hands-free device" means an attachment, add-on or addition to a cellular telephone, whether or not permanently installed in a motor vehicle, that when used allows the motor vehicle operator to maintain both hands on the steering wheel;

(26) "High beam" shall mean a beam of light projected from vehicle headlights such that the main bright portion of the beams thereof rises above a horizontal plane passing through the lamp centers parallel to the road level upon which the vehicle stands;

(27) "Highways" shall mean every public thoroughfare, public boulevard, driveway, avenue, park, alley and callejon, but shall not include roadway upon grounds owned by private persons, colleges, universities, or other similar institutions.

(28) "Immediate proximity" means the distance that permits the user of a cellular telephone to hear telecommunications transmitted over the cellular telephone but that does not require physical contact with the user's ear;

(29) "In the Vicinity of Schools" means, with respect to primary and secondary schools as defined below, the area within bicycling and walking distance of the primary and secondary schools, or approximately three (3) kilometers;

(30) "Intersection" shall mean a place where two (2) or more roads intersect or join, and shall include the area where vehicles traveling on different joining or intersecting roads may collide;

(31) "Lane splitting" shall mean using or sharing a lane already occupied by one vehicle by another vehicle such as a motorcycle or scooter in a road or highway;

(32) "Laned thoroughfare" shall mean a thoroughfare divided into two (2) or more marked lanes for vehicular traffic;

(33) "Leave waiting" shall mean to stop a vehicle or to permit a vehicle (whether unattended or not) to remain stationary with its motor running for the purpose other than that of avoiding conflict with pedestrians or other vehicles, or of complying with the directions of a member of the police force or traffic control sign or signal;

- (34) "Limited Access Facility" shall mean a highway or street especially designed for through traffic, and over, from, or to which owners or occupants of abutting land or other persons have no right or easement or only a limited right or easement of access, light, air or view by reason of the fact that their property abuts upon such limited access facility or for any other reason.
- (35) "Low beam" shall mean a beam light projected from vehicle headlights such that none of the main bright portion of the beams thereof rises above a horizontal plane passing through the lamp centers parallel to the road level upon which the vehicle stands, and in no case higher than one meter (1 m) at a distance of twenty-five meters (25 m) ahead of the vehicle;
- (36) "Marked crosswalk" shall mean a portion of a thoroughfare between two (2) parallel lines marked across or partly across the thoroughfare include the portion of the thoroughfare between the prolongation of the lines;
- (37) "Motorcycle" shall mean a motor vehicle which has two (2) or three (3) wheels with or without a side car;
- (38) "Motorcycle passenger" shall mean the back rider of a motorcycle or scooter;
- (39) "Motorist" shall refer to the driver of a motor vehicle.
- (40) "Motor vehicle" shall mean any power-driven vehicle normally used for the carriage of persons or goods. This term embraces trolley-buses, or vehicles connected to an electric conductor and not rail-borne. It does not cover vehicles, such as agricultural tractors, which are only incidentally used for carrying persons or goods by road or drawing on the road, vehicles used for the carriage of persons or goods.
- E.g. Trailers having any number of wheels, when propelled or intended to be propelled by attachment to a motor vehicle shall be classified as separate motor vehicle with no power rating.
- (41) "Motor vehicle of running engine" shall refer to a vehicle as stated herein, operating and standing on any road or thoroughfare with engine running;
- (42) "No parking area" shall mean a portion of a thoroughfare between two (2) consecutive "No parking" signs and with arrows pointing generally towards each other, or other appropriate signs;
- (43) "No waiting area" shall mean a portion of a thoroughfare between two (2) "No waiting" signs with arrows pointing generally towards each other, or other appropriate signs;
- (44) "One-way thoroughfare" shall mean a thoroughfare on which vehicles are permitted to travel in one (1) direction only, as indicated by appropriate signs or signal;
- (45) "Overtake" shall mean to pass or attempt to overtake or pass;

- (46) "Owner" shall mean the actual legal owner of a motor vehicle, in whose name such vehicle is duly registered with the Land Transportation Office.

The "owner" of a government-owned motor vehicle is the head of the office or the chief of the Bureau to which the said motor vehicle belongs.

- (47) "Parking or parked" shall mean to permit a vehicle to remain stationary (whether unattended or not);

- (48) "Parking area" shall mean a portion of thoroughfare where parking is permitted as indicated by appropriate parking signs;

- (49) "Passenger automobiles" shall mean all pneumatic-tire vehicles of types similar to those usually known under the following terms: touring car, command car, speedster, sports car, roadster, jeep, cycle, car (except motor wheel and similar small outfits which are classified with motorcycles), coupe, landaulet, closed car, limousine, cabriolet, and sedan.

Motor vehicles with changed or rebuilt bodies, such as jeepneys, jitneys, or station wagons, using a chassis of the usual pneumatic-tire passenger automobile type, shall also be classified as passenger automobile, if their net allowable carrying capacity, as determined by the Assistant Secretary for Land Transportation, does not exceed nine passengers and if they are not used primarily for carrying freight or merchandise.

The distinction between "passenger truck" and "passenger automobile" shall be that of common usage: Provided, That a motor vehicle registered for more than nine passengers shall be classified as "truck": And Provided, further, That a "truck with seating compartments at the back not used for hire shall be registered under special "S" classifications. In case of dispute, the Commissioner of Land Transportation shall determine the classification to which any special type of motor vehicle belongs.

- (50) "Pedestrian and Bicycle Safety" means any plan or method of action that premises the safety of bicyclists and pedestrians.

- (51) "Pedestrian crossing or lane" shall mean a portion of a thoroughfare indicated by alternate black and white stripes, each of which is between two and a half meters (2.5 m) and four meters (4m) long, is approximately six hundred millimeters (600 mm) distant from the next stripe of the same color, and is parallel to or angled at not more than thirty degrees (30°) to the center of the thoroughfare or two (2) parallel with lines with signal control devices. Provided, that, in case there is a sidewalk along a thoroughfare in an intersection, that portion thereof crossing the thoroughfare in an intersection shall be considered as an extension of the sidewalk even if it is not so indicated by painted black and white stripes;

- (52) "Primary Schools" means schools providing pre-school education through the sixth or seventh grade;

- (53) "Private motor vehicle" shall refer to any of the following:

- (1) Any motor vehicle owned by individuals and juridical persons for private use;
 - (2) Any motor vehicle owned by the National Government or any of its agencies, instrumentalities or political subdivisions, including government-owned or controlled corporations or their subsidiaries for official use; and
 - (3) Any diplomatic vehicle.
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- (54) "Property line" shall mean a lateral boundary of a road;
 - (55) "Professional driver" shall mean every and any driver hired or paid for driving or operating a motor vehicle, whether for private use or for hire to the public.
Any person driving his own motor vehicle for hire is a professional driver.
 - (56) "Public Motor Vehicle" shall refer to public utility vehicle or vehicle for hire.
 - (57) "PUV lane" shall mean a length of thoroughfare designated for the exclusive use of public utility vehicles so indicated by appropriate signs;
 - (58) "Reservation" shall mean any physical provision on a road to divide it longitudinally other than lines marked on a thoroughfare and shall include a stripe adjoining a footway;
 - (59) "Road" shall mean any highway, or any road, street or bicycle path or lane open to or used by the public and shall include every thoroughfare, footway, reservation and traffic island on any highway or on any such road, street and bicycle path or lane;
 - (60) "Roundabout or rotunda" shall mean intersection laid out for movement of traffic in one (1) direction around a central island;
 - (61) "Saddle bag" shall mean the Department of Trade and Industry (DTI); approved built-in carrier of luggage in a motorcycle;
 - (62) "Secondary Schools" mean schools providing education from the first through the fourth year high school;
 - (63) "School Bus" means a bus that is used for purposes that include carrying students to and from public or private school or school-related events on a regular basis, but does not include a transit bus or a school, chartered bus;
 - (64) "School Chartered Bus" means a bus that is operated under a short term contract with the school authorities who have acquired exclusive use of the bus at a fixed charge in order to provide transportation for a group of pupils to a special school-related event;
 - (65) "Seat belts" refer to the combined lap belt and shoulder strap that fasten a rider to moving vehicle and prevent him from being thrown out or against the interior of the vehicle during sudden stops.

- (66) "Secretary" means the Secretary of Transportation and Communications;
- (67) "Separation line" shall mean a line marked on the pavement of a thoroughfare to separate traffic traveling in opposite directions;
- (68) "Speed zone" shall mean a length of thoroughfare defined by means of a speed limit sign at the beginning and a speed limit sign or dead end sign at the end;
- (69) "Standardized/standard Helmet" shall mean the protective helmet approved by the DTI;
- (70) "Stop line" shall mean a white line marked across a partly across a thoroughfare near a traffic-control signal, stop sign, pedestrian crossing or intersection;
- (71) "Temporary Operator's Permit" shall mean the citation ticket issued by LTO deputized agents to those who violates the latter's rules and regulations;
- (72) "Terminating road" in relation to an intersection shall mean a road which by virtue of its traffic function, statutory designation and/or physical form, ends at the intersection;
- (73) "Text Message Sending" means the use of short message sending by pounding the keyboard of the cellular phone composing a message and sending it through the system of the cellular phone;
- (74) "Thoroughfare" shall mean that portion of a road improved, designed or used for vehicular travel exclusive of the shoulder.
- (75) "Tourist" shall mean a foreigner who travels from place to place for pleasure or culture.
- (76) "Traffic-control item" shall mean any traffic control signal, light, sign, mark, structure, or device placed, installed or displayed for the purpose of regulating, warning or guiding traffic;
- (77) "Traffic-control signal" shall mean any device using a word or words, a symbol or symbols, a colored light or lights or any combination thereof operated mechanically, electrically, manually or otherwise by means of which traffic may be controlled or regulated;
- (78) "Traffic island" shall mean any physical structure (other than lines marked on a thoroughfare) made at or near an intersection to guide vehicles;
- (79) "Trailer" shall mean to include a caravan, but shall not include the rear portion of an articulated vehicle;
- (80) "Train" shall mean any railway locomotive or railway rolling stock;
- (81) "Two-way thoroughfare" shall mean any thoroughfare where traffic is permitted in opposite directions;

- (82) "Tricycle" shall mean a three-wheeled vehicle propelled by human power excluding pushcarts and animal-drawn vehicles;
- (83) "Using" means
- a. Holding a cellular telephone to, or in the immediate proximity of, the user's ear;
 - b. Pressing the buttons on a cellular telephone to use any of the functions of the cellular telephone;
- (84) "U-turn" shall mean a turn which causes vehicle facing or traveling in the opposite, or substantially the opposite direction, takes or travels towards the direction from where it came from;
- (85) "Vehicle" shall mean any conveyance or other device propelled or drawn by any means and shall include a vehicle and a bicycle and, where the context permits, shall include those which are animal-driven or ridden, but shall not include a train.

SECTION 6. *Definitions of Signs and Symbols.* In this Act, unless inconsistent with the context or subject matter, the signs and symbols shown in the following schedule shall be referred to in this Act by the names shown next to the sign or symbol;

ARTICLE III SIGNS AND SIGNALS

Section 7. *Installation and Interference with Traffic - Control Items.*

- (1) No person shall, except when duly authorized, install, establish or display on any road or in the view of any road, or interfere with, alter or take down, any traffic-control sign or item;
- (2) No person shall install, establish, place, maintain or display on any road or in the view of any person on any road anything designed in imitation of or similar to any traffic-control sign or item, or which interferes with the effectiveness of or prevents an approaching driver from clearly distinguishing the whole or part of any traffic-control item, or which distracts his attention from any traffic-control sign or item.

Section 8. *Limits on the Operation of Signs.*

- (1) Where any traffic-control sign or item of a kind referred to in this Article is installed on a road, it shall be effective and operative as a traffic-control item duly established for the purposes of this Act;
- (2) Any traffic-control sign or item which substantially conforms to the requirements of these sections with respect to dimensions, shape, color, position, direction, angle or any features of traffic-control sign or item of the kind.

Section 9. *Display of Dazzling Lights, etc.* No person shall establish, place or maintain any light of such kind or so placed as to prevent a driver from clearly distinguishing the road ahead of him nor shall any person maintain or use any light which the proper authority has declared by notice in writing to that person to be a clear danger to traffic.

Section 10. *Obedience to Traffic Control Signals.*

(1) Every person shall at all times observe and comply with the instructions of any traffic-control signal applicable to him;

(2) The display of a traffic-control signal of:

(a) *Green signals;*

(i) A *green circle* is an instruction that a driver facing the traffic-control signal may, subject to the provision of this Article, proceed straight ahead or turn right. A left turn may be executed, though a traffic-control signal is displaying a red circle with respect to the thoroughfare the driver is about to enter, only upon the display of a green left turn arrow;

(ii) A green signal and a walking man symbol or a green circle (*not accompanied by a red square with a standing man symbol*) is an instruction that a pedestrian facing the traffic-control signal may proceed across the thoroughfare.

(b) An *amber circle alone* is an instruction that:

(i) A driver facing the traffic-control signal shall not proceed beyond the stop line associated with the traffic-control signal when the amber color first appears, that he cannot safely stop his vehicle before passing the stop line or traffic-control signal;

(ii) A pedestrian facing the traffic-control signal shall not obstruct vehicles entering or approaching the intersection.

(c) A *red circle alone or red and amber (or yellow) circles together* is an instruction that:

(i) A driver facing the traffic-control signal shall not proceed straight ahead or turn left beyond the stop line associated with the traffic-control signal or in the absence of a stop line the traffic-control signal itself;

(ii) A pedestrian facing the traffic-control signal shall not obstruct vehicles entering or approaching the intersection.

(d) Steady or flashing red square with a standing man signal is an instruction that a pedestrian facing the traffic-control signal may not proceed in the direction indicated by the arrow;

(e) An *amber (or yellow) arrow alone or in conjunction with any other signal display except a red arrow pointing in the same direction as the amber arrow* is an instruction that a driver facing the traffic-control signal shall not for the purpose of proceeding in the direction indicated by the amber arrow proceed beyond the stop line, shall not enter the intersection at or near which the traffic-control signal is installed, unless his vehicle is close to the stop line or the intersection when the amber arrow first appears that he cannot safely stop his vehicle before passing the stop line or entering the intersection;

(f) A *red arrow alone or in conjunction with an amber (or yellow) arrow pointing in the same direction as the red arrow* is an instruction that driver facing the traffic-control signal shall not, for the purpose of proceeding in the direction indicated by the red arrow, proceed beyond the stop line associated with the traffic-control signal;

(g) *Flashing amber (or yellow) at an intersection* is an instruction that a driver facing the traffic-control signal shall approach and cross the intersection with caution;

(h) *Flashing red at an intersection* is an instruction that a driver facing the traffic-control signal shall first execute a full stop, then cross the intersection with caution.

Section 11. Obedience to Signs. All signs as defined in this Article shall be obeyed by motorists at all times for purposes of this Chapter. The following are descriptions of those signs:

- (1) A driver shall not cause his vehicle to turn at any intersection contrary to the instruction of any "No turn", "No left turn" or "No U-turn" sign installed to face an approaching driver at or near the intersection;
- (2) Where a "One Way" sign is installed to face a driver entering a thoroughfare, the driver shall drive along that thoroughfare only in the direction indicated by the arrow on the sign;
- (3) Where a "No Entry" sign is installed over or adjacent to a thoroughfare to face an approaching driver, the driver shall not proceed on that thoroughfare beyond the sign;
- (4) A driver entering an intersection from a marked line which has over it a sign or a signal displaying an arrow or arrows facing the driver as marked on the surface of the lane shall proceed only in the direction indicated by such words, arrow or arrow;
- (5) Where "No Overtaking or Passing" sign is installed to face an approaching driver, the driver shall not overtake or pass a vehicle traveling in the same direction;
- (6) (a) Where a "No Overtaking or Passing" sign is installed to face an approaching driver, the driver shall not overtake a vehicle on the bridge;

(b) A driver shall not drive a vehicle through a bridge when the weight of the vehicle and its load including any trailer attached to it exceeds the weight indicated on a bridge load limit sign facing the driver;
- (7) (a) Where a "Keep Right" sign is installed to face an approaching driver, the driver shall pass to the right of the sign;

(b) Where a "Keep Left" sign is installed to face an approaching driver, the driver shall pass to the left of the sign.

(c) Where a "Stop" sign is installed to face a driver who is approaching or has entered an intersection the driver shall:
 - (i) Stop his vehicle before reaching and as near as practicable to stop line associated with the sign or in the absence of a stop line at the point nearest the first intersecting thoroughfare where he has a clear view of traffic approaching the intersection; and
 - (ii) On reaching and after passing such sign, give way to any vehicle which is entering or is within or is leaving the intersection except where that vehicle:

- (1) Is facing or has passed a "Give Way" sign or a "Stop" sign installed at the intersection; and
- (2) Is about to turn or is turning at the intersection.
- (d) Where a "Give Way" sign is installed to face a driver who is approaching or has entered an intersection, the driver shall, on reaching or is within or is leaving the intersection road except where that vehicle:
 - (i) Is facing or has passed a "Give Way" sign or a "Stop" sign installed at the intersection; and
 - (ii) Is about to turn or is turning at the intersection.
- (e) Where a "Give Way" sign is installed to face a driver approaching a bridge, the driver shall not pass the sign while any driver traveling in the opposite direction is between the sign and the far end of the bridge.
- (f) Where a "No Turn" sign is installed adjacent to a thoroughfare to face an approaching driver, the driver shall not make a U turn while he is between the sign and the far side of the first intersection beyond the sign, nor, shall a driver who enters the thoroughfare between the sign and the intersection and travels towards the intersection make a U turn before he has passed the intersection.

ARTICLE IV

DRIVING ON RIGHT, OVERTAKING AND RIGHT OF WAY

SECTION 12. *Keeping as Far Right as Practicable.* Unless otherwise provided for in this Act, a driver shall keep his vehicle as close as practicable to the right boundary of the thoroughfare except where there are two (2) or more lanes marked on the thoroughfare available exclusively for traffic in the direction in which he is travelling.

SECTION 13. *Overtaking.*

- (1) When overtaking a moving vehicle, a driver shall pass to the left of that vehicle and shall not drive in front of it until his vehicle is safely clear of the vehicle being overtaken. Provided, that, where a thoroughfare has two (2) or more marked lanes, a vehicle traveling in one (1) of those lanes may overtake and pass to the right of the vehicle traveling in another of those lanes, if traffic conditions permit him to do so with safety.
- (2) A driver overtaking a vehicle which is making or apparently about to make a left turn, shall pass to the right of it.
 - (a) When overtaking a vehicle on a two-way thoroughfare:
 - (i) If the thoroughfare is not divided into three (3) lanes, a driver, shall not drive to the left of the center of the thoroughfare, unless the left side of the thoroughfare is free of oncoming traffic far enough ahead to permit the overtaking movement to be completed in safety.
 - (ii) Subject to the succeeding section, if the thoroughfare is divided into three (3) lanes, a driver shall not drive in the center lane unless that lane is free of oncoming traffic far enough ahead to permit the overtaking movement to be completed in safety.
 - (b) In all instances of overtaking, the driver of the overtaking vehicle shall signal his intention by using signal lights, horn or siren, as the case may be and after considering his overtaking capability and establishing a safe distance with respect to the vehicles being overtaken.

SECTION 14. *Restrictions on Overtaking and Passing.*

(1) The driver of a vehicle shall not drive to the left side of the center line of a highway in overtaking or passing another vehicle proceeding in the same direction, unless such left side is clearly visible, and is free of oncoming traffic for a sufficient distance ahead to permit such overtaking or passing to be made in safety.

(2) The driver of a vehicle shall not overtake or pass another vehicle proceeding in the same direction, when approaching the crest of a grade, not upon a curve in the highway, where the driver's view along the highway is obstructed within a distance of five hundred feet ahead, except on a highway having two or more lanes for movement of traffic in one direction where the driver of a vehicle may overtake or pass another vehicle: Provided, That on a highway within a business or residential district, having two or more lanes for movement of traffic in one direction, the driver of a vehicle may overtake or pass another vehicle on the right.

(3) The driver of a vehicle shall not overtake or pass any other vehicle proceeding in the same direction, at any railway grade crossing, not at any intersection of highways unless such intersection or crossing is controlled by traffic in one direction where the driver of a vehicle may overtake or pass another vehicle on the right. Nothing in this section shall be construed to prohibit a driver overtaking or passing upon the right another vehicle which is making or about to make a left turn.

(4) The driver of a vehicle shall not overtake or pass, or attempt to pass, any other vehicle, proceeding in the same direction, between any points indicated by the placing of official temporary warning or caution signs indicating that men are working on the highway.

(5) The driver of a vehicle shall not overtake or pass, or attempt to overtake or pass, any other vehicle proceeding in the same direction in any "no-passing or overtaking zone."

SECTION 15. *Use of Center and Left Lanes of a Three-Lane Thoroughfare.*

On a two-way thoroughfare divided into three (3) lanes, a driver shall not drive his vehicle in:

(1) The center lane, except:

(a) To overtake another vehicle in accordance with the rules on overtaking;

(b) In preparation for a left turn; or

(c) When the center lane is at the time allocated exclusively to vehicles travelling in the same direction in which he is travelling;

(d) Where there is double longitudinal line comprising of two (2) continuous lines or one (1) continuous line and one (1) broken or dotted line, marked on the left-hand side of the center lane, except in preparation for a left-turn ; or

(e) The extreme left-hand lane, except in preparation for a left-turn.

SECTION 16. *Passing Vehicles.* A driver passing a vehicle travelling in the opposite direction shall keep to his right of that vehicle.

SECTION 17. *Giving Way to Overtaking Vehicles.* Except where overtaking on the right is permitted, the driver of a vehicle being overtaken shall move to the right in favor of the overtaking vehicle, upon the driver of the overtaking vehicle sounding and/or signaling a warning instrument, and shall not increase the speed of his vehicle until it has been completely passed by the overtaking vehicle.

SECTION 18. *Drivers Not to Obstruct Traffic.* A person shall not without proper cause drive a vehicle abnormally slow or operate it in a manner as to obstruct, hinder or

prevent the free passage of any person or vehicle; and, in all cases, a person driving a vehicle shall not use, occupy, or in any manner, jockey for position on another lane intended for other vehicles making either a left or a right turn, even for the purpose of overtaking when to do so shall impede, block or affect, in any way, vehicles making such left or right turns.

SECTION 19. *Driving in Lanes on Thoroughfare.*

(1) A driver shall drive his vehicle, as far as practicable entirely within a single marked lane or a single line of traffic, and shall not move laterally from such lane or line of traffic until he can do so safely;

(2) A driver traveling a marked lane, any boundary of which is a single unbroken line (not being a separation line or pavement edge line), shall not permit any part of his vehicle to cross that line.

SECTION 20. *Right-of-Way Rules:*

(a) A vehicle traversing the main road has the right-of-way;

(b) All vehicles in the secondary road must yield to all vehicles cruising in the main road by making a full stop before entering the main road.

(c) When the main road is clear of vehicle, a vehicle traversing the secondary road may enter the main road after considering that it is safe to do so.

(d) When two vehicles approach or enter an intersection at approximately the same time, the driver of the vehicle on the left shall yield the right of way to the vehicle on the right, except as otherwise hereinafter provided. The driver of any vehicle traveling at an unlawful speed shall forfeit any right of way which he might otherwise have hereunder.

(e) The driver of a vehicle approaching but not having entered an intersection, shall yield the right of way to a vehicle within such intersection or turning therein to the left across the line of travel of such first-mentioned vehicle, provided the driver of the vehicle turning left has given a plainly visible signal of intention to turn as required in this Act.

(f) The driver of any vehicle upon a highway within a business or residential district shall yield the right of way to a pedestrian crossing such highway within a crosswalk, except at intersections where the movement of traffic is being regulated by a peace officer or by traffic signal. Every pedestrian crossing a highway within a business or residential district, at any point other than a crosswalk shall yield the right of way to vehicles upon the highway.

(g) The driver of a vehicle upon a highway shall bring to a full stop such vehicle before traversing any "through highway" or railroad crossing: Provided, That when it is apparent that no hazard exists, the vehicle may be slowed down to five miles per hour instead of bringing it to a full stop.

SECTION 21. *Exception to the right of way rule.*

(a) The driver of a vehicle entering a highway from a private road or drive shall yield the right of way to all vehicles approaching on such highway.

(b) The driver of a vehicle upon a highway shall yield the right of way to police or fire department vehicles and ambulances when such vehicles are operated on official business and the drivers thereof sound audible signal of their approach.

(c) The driver of a vehicle entering a "through highway" or a "stop intersection" shall yield the right of way to all vehicles approaching to either direction on such "through highway": Provided, That nothing in this subsection shall be construed as relieving the driver of any vehicle being operated on a "through highway" from

the duty of driving with due regard for the safety of vehicles entering such "through highway" nor as protecting the said driver from the consequence of an arbitrary exercise off such right of way.

SECTION 22. Signals on starting, stopping or turning.

(a) The driver of any vehicle upon a highway, before starting, stopping or turning from a direct line, shall first see that such movement can be made in safety, and if any pedestrian may be affected by such movement, shall give a clearly audible signal by sounding the horn, and whenever the operation of any other vehicle approaching or following may be affected by such movement, shall give a signal movement.

(b) The signal herein required shall be given by means of extending the hand and arm beyond the left side of the vehicle, or by an approved mechanical or electrical signal device.

SECTION 23. Driving Through Roundabouts or Rotondas. A driver passing through a traffic roundabout or rotunda shall drive to the right of the traffic control island.

SECTION 24. Keeping Right of Double Yellow Lines. A driver on a marked thoroughfare shall not permit any portion of his vehicle to travel on or over to the left of longitudinal lines comprising of:

- (a) Two (2) yellow continuous lines; or
- (b) A yellow continuous line on the right of white broken dotted line.

SECTION 25. Restriction as to speed.

(1) Any person driving a motor vehicle on a highway shall drive the same at a careful and prudent speed, not greater nor less that is reasonable and proper, having due regard for the traffic, the width of the highway, and of any other condition then and there existing; and no person shall drive any motor vehicle upon a highway at such a speed as to endanger the life, limb and property of any person, nor at a speed greater than will permit him to bring the vehicle to a stop within the assured clear distance ahead.

(2) Subject to the provisions of the preceding paragraph, the rate of speed of any motor vehicle shall not exceed the following:

MAXIMUM ALLOWABLE SPEEDS	Passengers Cars and Motorcycle	Motor trucks and buses
1. On open country roads, with no "blinds corners" not closely bordered by habitations.	80 km. per hour	50 km. per hour
2. On "through streets" or boulevards, clear of traffic, with no "blind corners", when so designated.	40 km. per hour	30 km. per hour
3. On city and municipal streets, with light traffic, when not designated "through streets".	30 km. per hour	30 km. per hour
4. Through crowded streets, approaching intersections at "blind corners", passing school zones, passing other vehicles which are	20 km. per hour	20 km. per hour

stationery, or for similar dangerous circumstances.		
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(3) The rates of speed hereinabove prescribed shall not apply to the following:

- (a) A physician or his driver when the former responds to emergency calls;
- (b) The driver of a hospital ambulance on the way to and from the place of accident or other emergency;
- (c) Any driver bringing a wounded or sick person for emergency treatment to a hospital, clinic, or any other similar place;
- (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 vehicle, when he or his passengers are in pursuit of a criminal;
- (f) A law-enforcement officer who is trying to overtake a violator of traffic laws; and
- (g) The driver officially operating a motor vehicle of any fire department, provided that exemption shall not be construed to allow unless or unnecessary fast driving of drivers aforementioned.

SECTION 26. *Speed limits uniform throughout the Philippines.* No provincial, city or municipal authority shall enact or enforce any ordinance or resolution specifying maximum allowable speeds other than those provided in this Act.

SECTION 27. *Driving on right side of highway.* Unless a different course of action is required in the interest of the safety and the security of life, person or property, or because of unreasonable difficulty of operation in compliance herewith, every person operating a motor vehicle or an animal-drawn vehicle on a highway shall pass to the right when meeting persons or vehicles coming toward him, and to the left when overtaking persons or vehicles going the same direction, and when turning to the left in going from one highway to another, every vehicle shall be conducted to the right of the center of the intersection of the highway.

SECTION 28. *Following Too Closely.*

- (1) The driver of a motor vehicle shall not follow another vehicle more closely than is reasonable and prudent, having due regard for the speed of such vehicle and traffic condition;
- (2) Except when overtaking or passing, the driver of a long vehicle when following another long vehicle shall, whenever conditions permit, keep his vehicle not less than seventy meters (70m) behind another vehicle so that an overtaking vehicle may enter and occupy such space without danger;
- (3) This provision shall not apply to a long vehicle in a built-up area to a long vehicle on a thoroughfare provided with two (2) or more marked lanes exclusively for vehicles traveling in the same direction as the long vehicle;
- (4) For purposes of this section, "long vehicle" means a vehicle more than eight meters (8 m) in length inclusive of any projection and of its load, or a vehicle towing another vehicle.

SECTION 29. *Driving on Divided Road.* Where a road is divided into a thoroughfare by a reservation or reservations, a driver shall not drive on a thoroughfare which is on the left-hand side of the road unless a "Two-Way" sign is installed to face drivers entering that thoroughfare.

SECTION 30. *Approaching a Crest or Curve.* A driver on a two-way thoroughfare shall

not permit any portion of his vehicle on or over, or the left of the center of the thoroughfare when:

(1) Approaching a top of a slope:

(2) Approaching or upon a curve-unless he can see ahead at a distance sufficient to enable him to do so with safety or without interfering with the progress of any oncoming vehicle.

SECTION 31. *Bus and PUJ lanes.*

- (1) Bus and PUJ lanes shall be for the exclusive use of bus and public utility jeepneys, except when another vehicle is turning right;
- (2) All bus and PUJ lanes shall be designated at the lane nearest to the right boundary of the thoroughfare and marked by one (1) solid continuous yellow line on the road pavement, supplemented by signs on sidewalks along the lanes at suitable locations after an intersection or junctions and at mid-block;
- (3) A person shall not drive a motor vehicle on a bus and PUJ lane, unless his vehicle is:
 - (a) An emergency vehicle;
 - (b) A bus;
 - (c) A public utility jeepney; or
 - (d) A vehicle intending to enter an adjoining property before the next intersection or junction.
- (4) No vehicle, other than bus or PUJ, is permitted to load/unload either passenger or goods on a bus and PUJ lane and at designated bus and PUJ stops. However, emergency vehicles, taxis and car pool vehicles are exempted from this restriction;
- (5) No vehicle is permitted to park on bus and PUJ lanes, except emergency vehicles on duty.

ARTICLE V GIVING WAY

SECTION 32. *Meaning of "Give Way".* Where the provisions of this Act require a driver to give way to a vehicle or person, the driver shall in circumstances where if he proceeded, there would be reasonable possibility of his colliding with such vehicle or person or otherwise creating a dangerous situation, slow down to such extent or stop and remain stationary, for such time as necessary to allow that vehicle or person to continue on its or his course without risk of collision, or as is necessary to avoid creating a dangerous situation.

SECTION 33. *Giving Way at Intersections.*

- (1) A driver approaching or passing through an intersection shall exercise special care and where appropriate, shall drive at a reduced speed.
- (2) Except as provided in Section 34 of this Article and Subsection 4 (a) and (b) of this section, the driver of a vehicle which is approaching an intersection from one (1) thoroughfare, shall give way to the other vehicle which has entered the intersection first, except that if the two (2) vehicles have entered at the same time, the driver shall give way to the other vehicle coming from his right.
- (3) A driver entering an intersection from a terminating road shall give way to a vehicle entering or turning from the intersecting road.

(4) (a) Where traffic control signals are installed at or near an intersection, Subsection (2) shall not apply to a driver proceeding in accordance with the instruction of any such signals.

(b) Subsection (2) shall not apply to the driver of a vehicle having another vehicle on his right at an intersecting thoroughfare where that other vehicle is facing, or has passed a "Give Way" or "Stop" sign.

SECTION 34. *Giving Way during Turns.*

(1) A driver who intends to turn is turning or has turned to the left at an intersection, shall give way to any vehicle which has entered or is approaching the intersection from the opposite direction.

(2) A driver turning to the right or left of an intersection shall give way to all pedestrians.

(3) A driver making a U-turn, where allowed or where not prohibited, shall give way to all other vehicles and to all pedestrians.

(4) Except as otherwise provided in this section, the provisions of Section 28 shall apply to turning vehicles.

SECTION 35. *Movements To or From Parking.*

(1) A driver about to drive, or is driving a vehicle into or out from a parking area or the boundary of the thoroughfare where parking is allowed, shall give way to all other vehicles.

(2) A driver shall not drive a vehicle in reverse out of a parking area unless traffic conditions permit him to do so.

SECTION 36. *Action on Approach of Emergency Vehicles.* A driver shall give way and make every reasonable effort to give clear and uninterrupted passage to every emergency vehicle sounding a siren, bell or repeater horn, or using other signals to indicate an emergency.

SECTION 37. *Entering or Leaving a Road.*

(1) A driver entering a road from land abutting on the road shall:

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

(b) Give way to all pedestrians on the road.

SECTION 38. *No Entry to Choked Intersections.* A driver shall not enter or attempt to cross an intersection or thoroughfare if it is blocked by vehicles.

SECTION 39. *Roundabouts or Rotondas.* The driver of a vehicle entering a roundabout or rotunda shall give way to any vehicle which is within the roundabout or rotunda.

ARTICLE VI TURNING AND PARKING

SECTION 40. *Turning at intersections.*

(1) The driver of a vehicle intending to turn to the right at an intersection shall approach such intersection in the lane for traffic nearest to the right-hand side of

the highway and, in turning, shall keep as close as possible to the right-hand curb or edge of the highway.

(2) The driver of a vehicle intending to turn to the left shall approach such intersection in the lane for traffic to the right of and nearest to the center line of the highway, and, in turning, shall pass to the left of the center of the intersection, except that, upon highways laned for traffic in the direction in which the vehicle is proceeding.

(3) For the purpose of this section, the center of the intersection shall mean the meeting point of the medial lines of the highways intersecting one another, except when it is occupied by a monument, grass plot or any permanent structure, other than traffic control device.

SECTION 41. Right Turns.

(1) A driver who is about to make a right turn shall so drive his vehicle that when it reaches the intersection, it shall already be on the right most lane traveling at the same direction;

(2) A driver can turn right with caution: Provided, that this Subsection shall not apply to a driver whose vehicle is on a marked lane immediately to the left of a marked lane allocated exclusively to right-turning vehicles.

SECTION 42. Left Turns.

(1) A driver who is about to make a left turn at an intersection:

(a) Where he is traveling on a two-way thoroughfare, approach and enter the intersection so that his vehicle is to the right of, parallel to, and as near as practicable to the center of the thoroughfare; or

(c) Where he is traveling on a one-way thoroughfare, approach and enters the intersection so that his vehicle is parallel to and as near as practicable to the left boundary of the thoroughfare.

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

(2) A driver making a left turn at an intersection shall make the left turn so that:

(a) If the thoroughfare being entered is a two-way thoroughfare, his vehicle enters it to the right of the center of the thoroughfare; or

(b) If the thoroughfare being entered is a one-way thoroughfare, his vehicle enters it as near as practicable to the left boundary of the thoroughfare.

For purposes of this Section, a vehicle crosses the prolongation of the property line of the road it is leaving.

(3) Notwithstanding the foregoing provisions of this Section, a bicyclist who is about to turn left shall make the left turn so that:

(a) He approaches such intersection parallel to and as near as practicable to the right boundary of the thoroughfare or bicycle lane he is leaving;

(b) He enters the intersection and proceeds in a straight line until his bicycle is as near as practicable to the right boundary of the thoroughfare he is about to enter; and

(c) He turns his bicycle to the left, and after giving way to vehicles on his left and right, leaves the intersection in accordance with the provisions of this

Section, but when any traffic-control signal is operating at the intersection, a bicycle shall wait before turning and shall not proceed to leave the intersection until the traffic-control signal is displaying a green light indicating the appropriate direction of his intended movement.

(4) Notwithstanding the foregoing provisions of this Section, a driver or a bicyclist who is about to make or is making a left turn at an intersection where markers, marks or signs so placed as to indicate that a different course from that specified in this Section shall be traveled, shall not turn his vehicle at the intersections otherwise than as indicated by the markers, marks or signs.

SECTION 43. *Turn and Stop Signals.*

(1) A driver shall not turn right or left or diverge right or stop or suddenly decrease speed or make a U-turn without giving signal as prescribed in this Section.

(2) A driver who is about to turn right or left, diverge right or left or stop or suddenly decrease speed or make a U-turn, shall signal his intention for such time is necessary to give reasonable warning to drivers approaching from behind.

(3) For purposes of and without limiting the generality of Subsection (2) of this Section, a signal shall be deemed to give reasonable warning if given continuously:

(a) For turning, while a vehicle is traveling thirty meters (30m) immediately before it commences to turn;

(b) For diverging, while a vehicle is traveling thirty meters (30m) immediately before it commences to diverge right or left; or

(c) For stopping or slowing down, while the brakes are applied and brakelights blink before it stops or while slowing down.

(4) Any signal required by this Section shall be given:

(a) In the case of a signal of intention, by means of stop lamp; or

(b) In the case of a signal of intention to turn right or left, diverge right or left, to make a U-turn, by means of a flashing lamp signaling device.

Such signaling device or stop lamp shall comply with the specifications prescribed by the Land Transportation Office.

SECTION 44. *Use of Signaling Device.* A driver shall not permit a signaling device of his vehicle to remain in operation after completing the turn or diverge for which the device was put into operation.

SECTION 45. *U-turns.* A driver shall not cause his vehicle to make a U-turn:

(1) Where there is any likelihood of colliding with another vehicle or interfering with the free movement of traffic; or

(2) On any intersection at which a traffic control signal or signal prohibits a U-turn.

ARTICLE VII RAILWAYS LEVEL CROSSINGS

SECTION 46. *Stopping at Level Crossings.*

(1) A driver approaching a railway level crossing shall stop his vehicle so that the front of it is on the approach side of and safely clear of the nearest rail of the railway:

- (a) If he is directed or instructed to stop by railway employees and shall not proceed except in accordance with the railway employee's direction;
- (b) (i) If an approaching train is visible or emits an audible signal and there is danger of collision between his vehicle and the train, and shall not proceed until it is safe to do so; or
 - (ii) If a train is upon or partially upon the crossing and shall not proceed until it is safe to do so.
- (c) If a stop sign facing the driver is installed at or near the level crossing, and shall proceed only if it is safe to do so; or
- (d) If twin alternating red lights are flashing or a wig-wag signal is moving, or a warning bell is moving or is ringing at or near the level crossing to flash, move or ring unless otherwise directed or instructed by a railway employee;
- (e) If his vehicle is carrying any explosive, radioactive, inflammable, corrosive or poisonous substances otherwise than as fuel for its own use and shall not proceed unless it is safe to do so;
- (f) If his vehicle is a tank vehicle used for the transportation of goods referred to in paragraph (e) of this Section and shall not proceed unless it is safe to do so.

Paragraphs (e) and (f) of this Section shall not apply at a railway level crossing equipped with alternating red lights or wig-wag signal, or with gates, booms or other barriers for closing the crossing against road traffic.

(2) No person shall drive a vehicle through or around any gate, boom or barrier at a railway level crossing, or enter upon such a crossing while any gate, boom or barrier is closed or is being opened or closed to road traffic.

(3) A driver shall not enter upon or attempt to cross a railway level crossing, if the level crossing or the thoroughfare beyond is blocked by vehicle.

ARTICLE VIII STOPPING AND PARKING VEHICLES

SECTION 47. *Vehicles not to be in Certain Places.*

(1) No person shall:

- (a) Leave a vehicle waiting in a no area;
- (b) Park a vehicle in a no parking area;
- (c) Leave a vehicle waiting in a parking area except in a manner indicated by the inscriptions on the sign or signs associated with the parking area; or
- (d) Leave a vehicle waiting in a parking area or leave a vehicle waiting in a no waiting area:

However, a person may park a vehicle in a no parking area is suspended by reason of the inscription of the sign or signs associated with the area:

- (i) During any time that the operation of the area is suspended by reason ²²

of the inscription of the sign or signs associated with the area; or

(ii) If the inscription on the sign or signs associated with the area exempts that person or his vehicle from the restriction imposed within the area.

SECTION 48. *Methods of Parking.* A person who parks or leaves a vehicle waiting on a thoroughfare shall park or leave the vehicle waiting:

(1) In the case of a road on which vehicles are permitted to travel in both directions, as near as practicable to the right boundary of the thoroughfare;

(2) In the case of a road on which vehicles are permitted to travel in one direction only, as near as practicable to either boundary of the road and parallel to the boundary of the thoroughfare;

(3) Not less than 1/5 meters (1.2 m) from any other vehicle, except in a parking area where angle parking is required;

(4) So that not less than three meters (3m) of the width of the thoroughfare and the far boundary of the thoroughfare is available for the movement of other vehicles;

(5) In a manner that it does not cause any undue obstruction on the thoroughfare;

(6) Where parking bays are marked on the thoroughfare, entirely within the confines of a single bay. Provided that:

(a) Paragraphs (1) and (2) of this Section shall not apply to a person leaving a vehicle waiting in a parking area; and

(b) Paragraph (3) of this Section shall not apply to a person leaving a motorcycle waiting in a parking area set aside for motorcycles.

SECTION 49. *Method of Parking in Parking Areas.*

(1) No person shall park or leave a vehicle partly inside and partly outside a parking area;

(2) Where the sign or signs associated with a parking area are not inscribed with the "Angle Parking"; and

(a) Where the parking area is adjacent to the boundary of a thoroughfare, a person leaving a vehicle waiting in the parking area shall leave the vehicle waiting parallel to and as near as practicable to that boundary; or

(b) Where the parking area is at or near the center of the thoroughfare, a person leaving a vehicle waiting in the parking area shall leave the vehicle waiting approximately at right angle to the center of thoroughfare unless the sign or signs associated with the parking area or marks on the thoroughfare indicate that vehicle is to stand parallel to the center, in which case he shall leave the vehicle in that position.

(3) Where the sign or signs associated with a parking area are inscribed with the words "Angle Parking", a person leaving a vehicle waiting in the parking area shall leave the vehicle waiting at an angle of approximately forty-five degrees (45°), in which case he shall leave the vehicle at the angle so indicated.

(4) Subsections (2) and (3) of this Section shall not apply to a person leaving a motorcycle waiting in a parking area.

(5) A person leaving a motorcycle waiting in a parking area adjacent to the

boundary of a thoroughfare shall leave the motorcycle waiting so that at least one (1) wheel is as near as practicable to the boundary.

SECTION 50. *Prohibited Parking Places.* No person shall park or leave a vehicle waiting so that any portion of the vehicle is:

- (1) Between any other waiting vehicle and the center of the thoroughfare;
- (2) Between a pedestrian zone and the nearest curb directly opposite the ends of a pedestrian zone, or within nine meters (9m) from the nearest curb;
- (3) In front of a right-of-way passage or private driveway, or so close thereto as to deny vehicles reasonable access to or egress from the right-of-way passage or private driveway;
- (4) In front of footways constructed across a reservation;
- (5) Alongside or opposite any excavation in or obstruction on the thoroughfare if the vehicle would obstruct traffic;
- (6) On or within nine meters (9m) of any portion of a thoroughfare bounded in one (1) of both sides by a traffic island;
- (7) On any footway, marked crosswalk or pedestrian crossing;
- (8) Upon a bridge or other elevated structure or within a tunnel or underpass except, subject to provisions of Section 46, a bridge or other elevated structure or underpass which provides a pass-through area at least as wide as the thoroughfare at the commencement of both approaches to the bridge, structure or underpass;
- (9) Between the boundaries of a thoroughfare and double yellow line consisting of a continuous yellow line and broken or dotted white line and the boundary of the thoroughfare nearer to the continuous line unless temporarily, if there seems to be an emergency.
- (10) Within an intersection
- (11) Within four meters of fire hydrant
- (12) On the roadway side of any vehicle stopped or parked at the curb or edge of the highway
- (13) At any place where official signs have been erected prohibiting parking.

SECTION 51. *Parked vehicle.* Whenever a motor vehicle is parked unattended on any highway, the driver thereof must turn off the ignition switch and stop the motor and notch effectively the hand brake.

SECTION 52. *Lights on Stationary Vehicles.*

- (1) Subject to the provisions of Section 58 and 59, no person shall leave a motor vehicle waiting on a road with a lamp of a power exceeding seven watts (7w) lighted and showing to the front, except while the vehicle is loading or unloading passengers or is compelled to remain stationary by exigencies of the traffic.
- (2) No person shall leave a motor vehicle or a trailer waiting on or partly on any thoroughfare between sunset and sunrise unless that motor vehicle or trailer is equipped with:
 - (a) Two (2) lamps (one on each side) showing a clear white light to the front and clearly visible under normal atmospheric conditions at a distance of one hundred eighty meters (180m), or where the motor vehicle or trailer

is waiting on or adjacent to the boundary of the thoroughfare, one such lamp shall be on the side of the center of the thoroughfare; and

(b) Appropriate rear lamps, number plate lamps, front and rear clearance lamps and reflectors prescribed as mandatory by the Land Transportation Office, and the lamps so affixed are lighted.

(3) Subsection (2) of this Section shall not apply:

(a) Where the street lighting in the vicinity renders the motor vehicle or the trailer clearly visible at a distance of one hundred eighty meters (180 m); or

(b) To any cycle not connected to a sidecar, forecar, or trailer left waiting parallel to and as near as practicable to the boundary of the thoroughfare.

SECTION 53. *Portable Warning Signs for Disabled Vehicles.*

(1) No person shall drive a vehicle on a road course or permit a vehicle to be so driven, unless that vehicle carries a portable early warning device complying with the specifications prescribed by the Land Transportation Office.

(2) Whenever a disabled vehicle is stationary on a thoroughfare, the portable early warning devices shall be placed one (1) to the rear of vehicle and one (1) to the front side nearer to the center of the thoroughfare at a distance prescribed by the Land Transportation Office; to give reasonable warning to approaching drivers.

(3) Nothing in this Section shall affect any duty imposed by this Act to display lighted lamps on stationary vehicles.

SECTION 54. *Lights and Other Equipment on Bicycles.*

(1) No person shall ride or propel a bicycle between sunset and sunrise, unless it is equipped with:

(a) A lighted lamp showing a clear white light to the front;

(b) A lighted lamp showing a clear red light to the rear;

(c) A red reflector on its rear; and

(d) A rear mudguard, the rear half of which is colored white.

Such lamps and reflectors shall be of the types and affixed in the positions prescribed by the proper authority and shall be kept clean at all times.

(2) No person shall ride a bicycle unless it is equipped with:

(a) An efficient brake; and

(b) An efficient bell or some other suitable warning device.

SECTION 55. *Lights on Animal-Drawn Vehicle.*

(1) No person shall drive or permit any animal-drawn vehicles or any trailer attached to it to be upon any thoroughfare between sunset and sunrise, unless the vehicle or the trailer is equipped with appropriate front and rear lamps, clearance lamps and reflectors as prescribed by the proper authority, and the lamps are lighted.

(2) All reflectors and lights prescribed by this Section shall be kept clean and

shall not be obscured by any part of the vehicle or its load.

SECTION 56. Fog Lamps.

(1) In fog or mist or under abnormal atmospheric conditions restricting visibility, the display of light from a fog lamp or fog lamps shall be deemed sufficient compliance with any obligation to display light from a headlight or headlights under the provisions of this Article.

(2) No person shall drive a motor vehicle (not being a motorcycle) displaying light from a single fog lamp, unless it is affixed to the front of the vehicle and at same height from the ground as two (2) lamps of a front, the centers of which lamps are not less than one meter apart.

(3) No person shall drive a motor vehicle displaying light from a fog lamp or lamps if any other lamp of a power exceeding seven watts (7w) and capable of showing a white light to the front is lighted.

(4) For purposes of this Section, a fog lamp is one designed to enable the driver or motorist to see through the fog, mist or abnormal atmospheric conditions from a distance of at least one hundred eighty meters (180m)

SECTION 57. Lights on Towed Vehicles. No person shall, between sunset and sunrise, drive a motor vehicle which is turning another vehicle unless a (lighted) lamp lighted (is) attached to the portion of the towed vehicle facing any following vehicle with a power not exceeding seven watts (7w) showing a clear red light visible under normal atmospheric condition at a distance of one hundred meters (100m) and is so placed that:

(a) Its center is not more than one meter (1m) above the ground; and

(b) It is in the center to the left side of the center of that portion of the towed vehicle (facing) which faces any following vehicle.

SECTION 58. Spot Lamps.

(1) No person shall cause or permit any spot lamp or search lamp affixed or connected to any vehicle to be lighted unless:

(a) The vehicle is stationary and the lamp is used only for the purpose of examining or making adjustments or repairs to a vehicle and the light from the lamp is projected not more than six meters (6m); or

(b) The vehicle is outside a built-up area and the lamp is lighted and used only for the purpose of reading a road sign.

(2) The provisions of Subsection (1) of this Section shall not apply if the vehicle is an emergency vehicle or if the vehicle is being used by law enforcement agencies in the performance of their official functions.

SECTION 59. Flashing warning Sign.

(1) No person shall drive or leave waiting a vehicle on which is mounted a lamp displaying intermittent flashes, except:

(a) A lamp displaying intermittent red or blue flashes on the top of or

(b) A lamp displaying intermittent amber flashes on top of:

(i) A tow truck or motor breakdown service vehicle at the scene of an accident or a breakdown; or

(ii) A vehicle being used by a government or public local authority in connection with its functions and occupying a hazardous position on

the thoroughfare while the tow truck or the vehicle is stationary or is maneuvering at a speed not exceeding ten kilometers per hour (10 kph); or

(c) A motor vehicle moving or stationary in a hazardous position on a thoroughfare because of an emergency situation or with similar justifiable cause displaying such flashes from both sides of the front and rear of the vehicle by means of a flashing lamp signaling device: Provided, that the display of such flashes and the operation of the device are in accordance with the specification of the Land Transportation Office.

(2) Nothing in this Section shall be deemed to prevent the use of flashing lamp signal device in accordance with this Act.

ARTICLE IX BICYCLES, TRICYCLES AND ANIMALS

SECTION 60. *Riding Bicycles or Tricycles.*

(1) No person shall ride a bicycle or tricycle which does not have a permanent and regular seat attached to it.

(2) No bicycle or tricycle shall be used to carry at one time more persons than the number for which it has been designed and equipped.

(3) No person shall ride a bicycle without having at least one (1) hand on the handlebars.

(4) Wherever a bicycle lane is provided, the rider of the bicycle shall use the bicycle lane.

(5) No person shall ride a bicycle within two meters of the rear of a motor vehicle.

(6) No person shall drive a tricycle on any national road;

(7) No person shall drive a tricycle on any road which is traversed by a higher mode of public transport on the basis of the route provided for under the Land Transportation Franchising Regulatory Board (LTFRB) issued Certificate of Public Convenience.

SECTION 61. *Riding More than Two Abreast.*

(1) Except on a bicycle lane where such is permitted by signs or other means, no person shall ride a bicycle so that it is traveling abreast with more than one (1) bicycle.

(2) Subsection (1) of this Section shall not operate to prevent a cyclist from overtaking and passing other persons riding bicycles abreast.

(3) A bicycle shall be deemed to be abreast with another bicycle if any part of it is by the side of any part of the other.

SECTION 62. *Leading and Pulling Animals.*

(1) A person riding an animal shall not lead or pull more than one (1) other animal.

(2) Not more than two (2) animals shall be allowed to pull a vehicle.

(3) A person driving a motor vehicle shall not lead nor pull any animal.

- (4) Riding an animal, driving an animal-drawn vehicle or pulling an animal/s is /are prohibited on expressways.

ARTICLE X
CARELESS AND DANGEROUS DRIVING AND DRIVING
UNDER INFLUENCE OF LIQUOR OR DRUGS

SECTION 63. *Scope.* The provisions of this Article shall apply to drivers/riders, vehicles and pedestrians upon roads or in any place commonly used by the public or to which the public is permitted to have access.

SECTION 64. *Careless Driving.* A person shall not drive a vehicle without due care or attention or without reasonable consideration for other persons.

SECTION 65. *Reckless and Dangerous Driving.* A person shall not drive a vehicle recklessly, or at a speed, or in a manner dangerous to public safety.

SECTION 66. *Driving Under Influence of Liquor and Drugs.* A person under the influence of intoxicating liquor or a drug shall not:

- (1) Drive a vehicle or motorcycle; or
- (2) Attempt to put a vehicle in motion.

SECTION 67. *Driving a Motor Vehicle Under the Influence of Liquor or other Incapacitating Drug.* No person shall drive a motor vehicle while under the influence of liquor or other incapacitating drug. For the purpose of this Section, a driver is considered under the influence of liquor, if, at the time of a competent examination of his person, he is found to have in his blood at least 0.06% of alcohol or, in the case of other drugs, it is reasonably manifested from his actions or behavior that the exercise of any of his five senses is physically impaired as to expose himself or the vehicle or other persons to a danger of accident.

SECTION 68. *Prohibition.* The operation of any vehicle, although not motorized, in the manner stated hereinabove, is likewise prohibited.

SECTION 69. *Penalties.* Violations of the provisions of this Article by drivers and motorists shall be penalized with graduated fines, as follows: One Thousand Pesos (P1,000.00) for the first offense; One Thousand Five Hundred Pesos (P1,500.00) for the second offense; one-year suspension of the driver's license for the third offense and a fine of not less than Two Thousand Pesos (P2,000.00) and subsequent violations of the last three preceding sections shall cause the perpetual revocation of the license / lifetime ban to drive any motor vehicle.

ARTICLE XI
EXPRESSWAYS

SECTION 70. *Use of Expressways.*

- (1) No person shall ride an animal-drawn vehicle, ride an animal, lead any animal or walk upon an expressway to the provisions of a sign installed upon or near the expressway;
- (2) Emergency lanes on expressways as designated and clearly marked as such shall not be used except for emergency;
- (3) The provisions of this Act governing traffic on roads and highways and all usages affecting roads and highways, shall apply to expressways;

(4) Construction Equipment:

(a) Tractors, graders and other related construction equipment on the jobsite and in an on-going road construction shall not be considered as moving motor vehicles: Provided, however, that such tractors, graders and related construction equipment, while on transport from point of origin to point of destination and vice-versa, shall be considered as moving motor vehicles.

SECTION 71. *Use of Limited Access Highways.* To ensure public safety, the Toll Regulatory Board (TRB) with the concurrence of the DOTC shall issue orders, rules and regulations and other issuances as may be necessary to ensure the effective implementation of this provision.

**ARTICLE XII
DRIVERS**

SECTION 72. *Leaving Motor Vehicles Unattended.* A driver of a motor vehicle shall not permit to stand unattended without first stopping the engine, locking the ignition, removing the ignition key, effectively upon any grade, turning the front wheels to the curb or the side of the thoroughfare nearer to the motor vehicle.

SECTION 73. *Driving Backwards.* A person shall not drive a motor vehicle in reverse on a thoroughfare unless he can do so with safety, or for a greater distance than is reasonable having regard to the circumstances.

SECTION 74. *Driving on Footways and Reservations.*

(1) Subject to Subsection (2) below:

(a) A person shall not drive a vehicle on a footway except to cross it by the shortest route to enter leave a private driveway.

(b) If a road includes two (2) or more separate thoroughfares divided by a reservation or reservations, a driver shall not cross from one (1) thoroughfare to another except at a place improved, designed or ordinarily used for vehicle traffic.

(2) Subsection (1) shall not apply to the riding of a bicycle on footpath or the provisions of this Section shall not apply to an invalid's chair traveling at not more than normal walking pace.

SECTION 75. *Control of a vehicle.*

(1) A person shall not drive a vehicle unless he is in such a position that he has full control over it and can obtain a full uninterrupted view of the road any traffic ahead and on each side of him, and can obtain in a rear view mirror attached to the vehicle a clear reflected view of any overtaking vehicle.

(2) A passenger in a motor vehicle shall not interfere with or impede the free movement or vision of the driver.

(3) No person shall drive a motorcycle without having both hands on the handlebars.

SECTION 76. *Positions of Drivers and Passengers.* A person, while driving or riding a motor vehicle (other than a motorcycle) shall not permit any part of his body or limbs:

(a) To be upon or in contact with any external step or mudguard or footboard or other external surface of the vehicles;

(b) To extend or protrude beyond or through any external door, window or other

opening of the vehicle;

(c) To extend or protrude beyond or hang over any side of the front, rear or any other external portion of the vehicles: Provided, That this Section shall not operate to prevent a driver from giving any signal authorized or prescribed by this Act: Provided, further, That proper authority may authorize any person or class of persons to ride upon any portion of a vehicle or class of vehicles.

ARTICLE XIII USE OF CELLULAR PHONE

SECTION 77. *Use of Cellular Telephones while Driving or riding a motorcycle, Prohibition; Exceptions.*

(1) It shall be prohibited to use the cellular phone while driving or riding a motorcycle all types of vehicles, by text messaging and/or by dial up communication;

Owners of cellular phone may make use of different accessories to be connected therein before using the same while driving vehicles.

(2) An operator of a motor vehicle or a motorcycle who holds a cellular telephone to, or in the immediate proximity of, the operator's ear while the motor vehicle is in motion is presumed to be engaging in a call. This presumption is rebuttable by evidence tending to show that the operator was not engaging in a call;

(3) This section does not apply to any of the following:

- (a) Law enforcement and safety personnel;
- (b) Drivers of authorized emergency vehicles;
- (c) Public transit personnel;
- (d) A person who is reporting reckless or negligent behavior;
- (e) The use of a cellular telephone for the sole purpose of communicating with any of the following regarding an emergency situation:
 - (i) An emergency response operator;
 - (ii) A hospital, physician's office or health clinic;
 - (iii) A provider of ambulance services;
 - (iv) A provider of fire fighting services;
 - (v) A law enforcement agency.

SECTION 78. *Penalties.* In the enforcement of this Article the LTO shall impose fines against drivers violating the same.

The following shall be the basis in defining fine and penalty provisions of the IRR to be promulgated, provided that six (6) months grace period shall be allowed to lapse to conduct a nationwide information campaign.

For engaging in a call using a cellular telephone while the motor vehicle is in motion without a hands-free device, a minimum fine of One Hundred Pesos (P100.00) but not to exceed One Thousand Pesos (P1,000.00) for the first violation; a minimum of Two Hundred Pesos (P200.00) but not to exceed Two Thousand Pesos (P2,000.00) for the

second violation; and a minimum fine of Five Hundred Pesos (P500.00) but not to exceed Five Thousand Pesos (P5,000.00) and suspension of driver's license for a period of one (1) week for the third and succeeding violations;

ARTICLE XIV PEDESTRIANS

SECTION 79. *Pedestrian Crossing.*

- (1) A driver approaching a pedestrian crossing shall travel at such speed that, if necessary to comply with this Section, he will be able to stop his vehicle before reaching a pedestrian crossing.
- (2) A driver shall not permit an portion of his vehicle to enter upon a pedestrian crossing even if any vehicle headed in the same direction is stopped on the approach side of or upon the pedestrian crossing apparently for the purpose of complying with this Section.

SECTION 80. *Duties of a Pedestrian.*

A pedestrian:

- (1) When crossing a footway, crosswalk or pedestrian crossing, shall keep as close as practicable to the right side of the footway, marked crosswalk or pedestrian crossing;
- (2) When crossing a thoroughfare at an intersection, shall keep to his right;
- (3) When crossing a thoroughfare or portion of a thoroughfare shall do so, as far as practicable, through the shortest and most direct route to the thoroughfare boundary.

SECTION 81. *Restrictions on Pedestrian.*

A person shall not:

- (1) While waiting to board a vehicle stand on any portion of a thoroughfare;
- (2) Proceed from a footway to a vehicle for the purpose of boarding it until it has stopped;
- (3) Alight from or board a moving vehicle;
- (4) Remain on a pedestrian crossing, or any such marked crosswalk longer than is necessary, for the purpose of passing over the thoroughfare with reasonable dispatch;
- (5) Stand upon a footway or thoroughfare so as to inconvenience, obstruct, hinder or prevent the free passage of any other pedestrian or any vehicle.
- (6) No person shall hang on to, ride on, the outside or the rear end of any vehicle, and no person on a bicycle, roller skate or other similar device, shall hold fast to or hitch on to any moving vehicle, and no driver shall knowingly permit any person to hang on to or ride, the outside or rear end of his vehicle or allow any person on a bicycle, roller skate or other similar device to hold fast or hitch to his vehicle.

SECTION 82. *Pedestrian on Thoroughfare.*

- (1) A pedestrian shall not proceed upon a thoroughfare if a footway exists on the road and is in a condition fit for use.

- (2) A pedestrian proceeding along a thoroughfare shall, when practicable, travel the opposite direction, and shall keep as close as he can to the boundary of the thoroughfare on his left.
- (3) A pedestrian shall not proceed along a thoroughfare abreast of more than one (1) other pedestrian, except in a procession or parade authorized by the proper authority.
- (4) A pedestrian shall not enter upon any portion of a thoroughfare within eighteen (18) meters from:
 - (a) A marked crosswalk adjacent to a traffic control signal in operation;
 - (b) A pedestrian crossing except for the purpose of alighting from or boarding a bus or a public utility vehicle at an authorized stopping place.
- (5) Nothing in this Section shall apply to a thoroughfare from which vehicles are for the time being excluded.

ARTICLE XV MOTORCYCLES

SECTION 83. *Passengers on Motorcycle.*

- (1) Only one (1) back rider shall be allowed on a motorcycle or scooter who must be provided with a seat and footrest.
- (2) The motorcycle or scooter shall not carry cargo other than the saddle bags or luggage carriers specifically designed and approved by the DTI;
- (3) No person shall drive a motorcycle carrying any other person unless that person is safely seated:
 - (a) In a side car; or
 - (b) Upon a pillion astride a motorcycle, facing forward and using footrests.

SECTION 84. *Safety Helmets for Motorcyclists*

- (1) A person shall not drive or ride a motorcycle unless that person is wearing a standard quality helmets on his head securely fastened under the chin of the wearer;
- (2) A standard quality helmets referred to in Subsection (1) shall comply with the specifications issued by the DTI;
- (3) A Person shall not drive a motorcycle while wearing a standard quality helmets to which is attached an eye protector unless that eye protector complies with standards set by the proper authority;

SECTION 85. *Motorcycle and Scooter Accessories.* Motorcycles or scooters shall be equipped accessories such as headlight, tail light, signal light, brake light, side mirror and horn.

The driver/rider shall, anytime of the day, switch on the headlight of the motorcycle or scooter while it is being operated on the highway. He shall dim the headlight or lower the beam whenever the motorcycle or scooter is being operated on well-lighted streets within the limits of cities, municipalities and thickly populated barrios or districts, or whenever it meets another vehicle along a highway.

Any Modification of the original standard design of a motorcycle or scooter shall first be subject to the approval of LTO and the DTI.

SECTION 86. *Lane Splitting.* A driver/rider shall observe the rule on one lane per one vehicle only. Lane splitting is prohibited along a national road or highway. Motorcycles or scooters shall not be operated on sidewalks.

SECTION 87. *Grants.* The Secretary of the Department of Transportation and Communications may, make grants to provinces, cities, municipalities, and non-profit organizations for programs that require or encourage individuals to wear standard quality bicycle helmets. These grants may be used by a grantee to:

- (1) Enforce a law that requires wearing of standard quality bicycle helmets as provided for herein while riding bicycles;
- (2) Assist bicycle riders to acquire standard quality bicycle helmets;
- (3) Develop and administer to educate individuals and their families on the importance of wearing such helmets in order to improve bicycle safety; or
- (4) Carry out any combination of the activities described above.

The Secretary shall review grant applicants from compliance with this Section prior to awarding grants. The sum necessary for the implementation of this Act shall be appropriated in the annual appropriations of the DOTC.

SECTION 88. *Penalties.*

- (1) Any person who does not wear standardized safety helmets shall be subject to confiscation of driver's license and/or a fine not less than three thousand pesos (P3,000.00), but not exceeding twenty thousand pesos (P20,000.00) with an accessory penalty of driver/rider attending a seminar or traffic safety management to be conducted by the LTO;
- (2) For carrying more passengers other than the back rider or cargo other than the saddle bags and luggage carriers, fine of One Thousand Pesos (P1,000.00);
- (3) For defective accessories such as headlight, tail light, signal light, brake light, side mirror and horn, a fine of One Thousand Pesos (P1,000.00).
- (4) For modifying any part of the original designs of a motorcycle or scooter without approval of the LTO and the DTI, a fine of Two Thousand Pesos (P2,000.00);
- (5) For wearing of flip flops, sandals or slippers or being bare footed while operating motorcycle or scooter on a road or highway, a fine of Five Hundred Pesos (P500.00) for the first offense. Seven Hundred Pesos (P700.00) for the second offense and a fine of One Thousand Pesos (P1,000.00) and revocation of driver's license for the third offense.

**ARTICLE XVI
SPECIAL RULES APPLICABLE TO CHILDREN**

SECTION 89. *Transporting Children Seven (7) years Old and Below.* Prohibition on the riding and transporting of children seven (7) years old and below on motorcycles along the highway.

- (1) **Prohibition.** For any person to transport a child seven (7) years old and below on motorcycle along the national highway or highway.
- (2) **Exception.** Exceptions may be made in provinces and where motorcycles are the only means of transportation.

(3) **Penalties.** Any violation of this section shall be punished as follows:

The first time offender shall be fined with an amount not exceeding Five Thousand Pesos (P5,000.00), Five Thousand Pesos (P5,000.00) for second offense and Ten Thousand Pesos (P10,000.00) for the third and succeeding offenses.

SECTION 90. *Special Protection for Child Passengers.* Infants and/or children with ages eight (8), years and below shall be prohibited to sit in front of any running motor vehicle unless the child is taller than four feet nine inches. The use of special car seats or child restraint systems for infants/children less than eight (8) years shall be mandatory if the child is not accompanied by an adult in the backseat. In the case of motor vehicles without backrow seats, children ages eight (8) years and below may be seated in the front seat, provided that, the vehicle is equipped with a child restraint system that is manufactured and crafted in accordance with the internationally acceptable industry standards. In all cases, the provision for and installation of the child restraint shall be the responsibility of the vehicle owner.

SECTION 91. *Children Unattended in Motor Vehicles.* Prohibition on leaving children unattended in motor vehicles under certain circumstances for any parent, legal guardian, or other person responsible for a child or children who is or are seven (7) years of age or younger shall not leave such child or children inside a motor vehicle without supervision by a person who is fourteen (14) years of age or older under one or more of the following circumstances:

- (1) Under conditions presenting a significant risk to the child's health or safety;
- (2) The engine of motor vehicle is running;
- (3) The keys to the motor vehicle are anywhere in the passenger compartment of the motor vehicle.

SECTION 92. *Penalties.* Any person found guilty of violating the provisions of the preceding section shall be punished with a fine of not more than Five Thousand Pesos (P5,000.00). A second violation of the provision of the preceding section within five (5) years or any subsequent violation, shall be punishable by a fine of not less than Ten Thousand Pesos (P10,000.00) or a penalty of imprisonment of arresto mayor, or both at the discretion of the court, taking into consideration all attending circumstances.

SECTION 93. *Mandatory Restraint of Child Passenger.* For the safety of child passengers, the driver of a public or private motor vehicle is required to restrain child passengers while inside a running vehicle on any road or thoroughfare. In case of public motor vehicles, the driver shall be required to immediately inform or require the adult accompanying the child passenger upon boarding a vehicle to restrain the child passenger. Any passenger who refuses to restrain the child passenger shall not be allowed to continue his/her trip.

Operational motor vehicles, both public and private, are not equipped with the required child restraints are given one (1) year from the issuance of the IRR by the LTO to retrofit appropriate child restraints in their vehicles.

SECTION 94. *Prohibited Acts and Penalties for Violation thereof.* It shall be unlawful for any driver of a motor vehicle to travel with children on board without providing a safety device for such children. Any driver in violation of this provision shall be punished by a fine of One Thousand Pesos (P1, 000.00) or imprisonment of not more than thirty (30) days, or both at the discretion of the court, taking into consideration all attending circumstances.

The license of such driver shall also be revoked upon final conviction of two (2) violations of this provision. Such revocation shall prohibit the grant of a new driver's license for the twelve (12) months from the date of the conviction.

It shall also be unlawful for any adult accompanying any child or to allow such child to travel on a motor vehicle which does not have safety devices for children, unless such

adult provides one for the child's own use. Any person in violation of this provision shall be punished by a fine of Two Thousand Pesos (P2,000.00) or imprisonment of not more than thirty (30) days, or both at the discretion of the court, taking into consideration all attending circumstances.

SECTION 95. *Exceptions.* The provisions of the preceding Section shall not apply to public utility vehicles such as, but not limited to, jeepneys and buses, as well as to emergency vehicles. It shall likewise not apply to medical emergencies or when, because of the circumstances of the situation, riding in a motor vehicle without a safety device removes such child from an even greater or more imminent danger.

SECTION 96. *Period of Implementation.* The LTO shall formulate and issue the necessary implementing rules, regulations and guidelines and shall mobilize available resources to assure the effective implementation of this article.

SECTION 97. *Testing of Child Restraints.*

(1) In General – Not later than six (6) months after the passage of this Act, the Secretary of Transportation and Communications (hereinafter "Secretary") shall promulgate crash test standards and conditions for child restraints.

(2) Elements for Consideration – In carrying out paragraph (1), the Secretary shall consider:

(a) Whether to conduct more comprehensive and dynamic testing of child restraints than is typically conducted as of the date of passage of this Act, including the use of test platforms designed:

(i) To stimulate an array of accident conditions, such as side-impact crashes, rear-impact crashes, and roll-over crashes; and

(ii) To reflect the designs of passenger motor vehicles in use of the date of passage of this Act

(b) Whether to use an increased number of anthropomorphic devices in a greater variety of heights and masses; and

(c) Whether to provide improved protection in motor vehicle accidents for children up to 59.2 inches tall who weigh more than fifty (50) pounds.

(3) Required Elements. In carrying out paragraph (1), the Secretary shall:

(a) Require that manufacturers design child restraints to minimize head injuries during side-impact and roll-over crashes, including requiring that child restraints have side-impact protection;

(b) Include a child restraint, as a requirement, in each vehicle applying for registration;

(c) Prescribe readily understandable text for any labels that are required to be placed on child restraints.

(4) Funding. There are appropriated such sums as may be necessary to carry out the provisions of this Article.

SECTION 98. *Child Restraint Safety Training Program.* Not later than six (6) months after the passage of this Act, the Secretary shall develop and implement a safety rating program for child restraints to provide practicable, readily understandable, and timely information to parents and caretakers for use in making informed decisions in the purchase of child restraints.

SECTION 99. *Incorporation of Child Dummies in Safety Tests.*

(1) **Review Process Required** – Not later than two (2) years after the date of the enactment of this Act, the Secretary of the Department of Transportation and Communications shall conduct a review process to increase utilization of child dummies, in motor vehicle safety tests, including crash tests, conducted by the Department.

(2) **Criteria** – In conducting the review process under paragraph (1), the Secretary shall select motor vehicle safety tests in which the inclusion of child dummies will lead to increased understanding of crash dynamics with respect to children and measurable improved child safety.

(3) **Public Input** – The Secretary shall solicit and consider input from the public regarding the review process under paragraph (1).

(4) **Report** – Not later than one (1) year after the date of the enactment of this Section, the Secretary shall publish a report regarding the implementation of this Section. This report shall include information regarding the current status of crash test dummies.

SECTION 100. *Child Safety Information Programs.*

(1) **In General** – Not later than eighteen (18) months after the date of the enactment of this Act, the Secretary shall supplement ongoing consumer information programs relating to child safety with information regarding hazards to children in no-traffic, non-crash accident situations.

(2) **Activities to Supplement Information** – In implementing such programs, the Secretary shall:

(a) Utilize information collected in the database maintained under Section 7 regarding non-traffic, non-crash injuries, as well as other relevant data from private organizations, to establish priorities for the program;

(b) Address ways in which parents can mitigate dangers to small children arising from preventable causes, including back-over incidents, hypothermia in closed vehicles, and accidental activation of power windows;

(c) Partner with national child safety research organizations and other interested organizations with respect to the delivery of program information; and

(d) Make information related to child safety available to the public via the internet and other means.

SECTION 101. *Report on Vehicle Visibility.* Not later than two (2) years after the date of the enactment of this Act, the Secretary shall submit a report to Congress on the extent to which driver visibility of the area immediately surrounding light passenger vehicle and obstructions to such visibility affect pedestrian safety, including safety of infants and small children, in non-traffic, non-crash situations.

SECTION 102. *Report on Enhanced Vehicle Safety Technologies.* Not later than eighteen (18) months after the date of enactment of this Act, the Secretary shall submit to Congress a report that describes, evaluates, and determines the relative effectiveness of:

(1) Currently available and emerging technologies, including auto reverse functions, that are designed to prevent and reduce the number of injuries and deaths to children left unattended inside parked motor vehicles, including injuries and deaths that result from hypothermia or are related to power windows or power sunroofs; and

(2) Currently available and emerging technologies that are designed to prevent deaths and injuries to small children resulting from vehicle blind spots and back-over incidents.

SECTION 103. *Database on Injuries and Deaths in Non-traffic, Non-crash Events.*

(1) **In General** – The Secretary shall maintain a database of, and regularly collect data regarding, injuries and deaths in non-traffic, non-crash events involving motor vehicles. The database shall include information regarding:

(a) The number, types, and proximate causes of injuries and deaths resulting from such events;

(b) The characteristics of motor vehicles involved in such events;

(c) The characteristics of the motor vehicle operators and victims involved in such events; and

(d) The presence or absence in motor vehicles involved in such events of advanced technologies designed to prevent such injuries and deaths.

(2) **Regulations** – The Secretary shall prescribe regulations regarding how to structure and compile the database. The Secretary shall solicit and consider input from the public regarding data collection procedures and the structure of the database maintained under paragraph (1).

SECTION 104. *Penalties and Fines.* The LTO shall impose fines against drivers for violation of this article with no specified penalties.

The following shall be the basis in defining fine and penalty provisions of the IRR promulgated provided that six (6) months grace period shall be allowed to lapse to conduct a nationwide information campaign.

For failure to restrain a child occupant, a minimum fine of One Hundred Pesos (P100.00) but not to exceed One Thousand Pesos (P1,000.00) for the first violation; a minimum fine of Two Hundred Pesos but not to exceed Two Thousand Pesos (P2,000.00) for the second violation, and a minimum fine of Five Hundred Pesos (P500.00) but not to exceed Five Thousand Pesos (P5,000.00) and suspension of driver's license for a period of one (1) week for the third and succeeding violations.

**ARTICLE XVII
SCHOOL BUS SAFETY STANDARDS**

SECTION 105. *Proficiency Standards for School Bus Drivers.* Not later than one (1) year after the date of enactment, the Secretary of the Department of Transportation and Communications shall prescribe proficiency standards for school bus drivers who are required to possess a professional license to operate a school bus.

SECTION 106. Requirement for Installation.

(1) Not later than one (1) year after the date of the enactment of this Act, the Secretary shall prescribe regulations requiring driver seat belts and passenger seat belts for each seating position in any newly manufactured school bus. Owners of school buses which are not currently equipped with seat belts shall be given a period of six (6) months from the publication of the regulations by the Secretary to install the necessary seat belts in their school buses.

(2) **Promotion of Seat Belt Usage:**

(a) **In General** – The Secretary, in consultation with appropriate safety organizations and parent-teacher organizations, shall conduct a program to promote and encourage the use of seat belts in school buses;

(i) Encourage the local governments to monitor the mandatory usage of seat belts in school buses;

(ii) Develop and disseminate educational materials on the importance of using seat belts to passengers and drivers of school buses; and

(iii) Recognize in an appropriate manner school that achieve a high level of seat belt usage by passengers and drivers of school buses.

SECTION 107. *Determination of Practicability and Feasibility of Certain Safety and Access Requirements for School Buses.*

(1) Commencement of Rulemaking Process – Immediately upon the enactment of this Act, the Secretary shall begin a rulemaking process to determine the feasibility and practicability of the following:

(a) A requirement for a decrease in the flammability of the materials used in the construction of the interiors of school buses;

(b) Final rule – Not later than one (1) year after such date, the Secretary shall promulgate a final rule providing for any requirement or standard referred to in paragraph (a) of subsection (1) that the Secretary determines to be feasible and practicable.

SECTION 108. *Registration.* No school bus shall be allowed to acquire maintain and renew registration unless it is equipped with necessary seat belts.

SECTION 109. *Implementing Authority.* The Secretary shall be primarily responsible for the enforcement of the provisions of this Article.

The Secretary may provide for a reasonable period for public notice and comment consistent with ensuring expeditious but full implementation of the prescribed safety requirement of this Article.

**ARTICLE XVIII
SAFE ROUTES TO SCHOOL**

SECTION 110. Safe Routes to Schools Program.

(1) In General – The Department shall establish and carry out safe routes to schools program for the benefit of students in primary and secondary schools. The purposes of the program are:

(a) To enable and encourage children, including students with disabilities, to walk and bicycle to primary and secondary schools;

(b) To make walking and bicycling to primary and secondary schools a safer and more appealing transportation alternative, thereby encouraging a healthy and active lifestyle from an early age; and

(c) To facilitate the planning, development, and implementation of projects and activities that will improve safety and reduce traffic, fuel consumption, and air pollution in the vicinity of primary and secondary schools.

(2) Safe Routes to School Coordinator – Each Local Government Unit receiving an apportionment under the immediately succeeding Section for a fiscal year shall use a sufficient amount of the apportionment to fund a full-time position of coordinator of the "Safe Routes to Schools Program" or the city or municipality.

(3) Long Range Transportation Plans – The LGU Coordinator shall develop and adopt a long-range transportation plan that:

(a) Includes the most recent data available on the percentage of trips made by foot and by bicycle in their locality;

(b) Includes a target level for pedestrian and bicycle trips that is commensurate with the goal of doubling the percentage of trips made by foot and bicycle; and

(c) Identify the contribution made by projects under the transportation improvement program of the organization toward meeting the goal of doubling the percentage of trips made by foot and bicycle.

(4) Eligible Projects and Activities-

(a) **Infrastructure-Related Projects** – Amounts apportioned to a Local Government Unit under the immediately succeeding Section may be used for planning, design and construction of infrastructure-related projects that will substantially improve the ability of students to walk and bicycle to primary and secondary schools in the vicinity of primary and secondary schools, including:

- (i) Sidewalk improvements;
- (ii) Traffic calming and speed reduction improvements;
- (iii) Pedestrian and bicycle crossing improvements;
- (iv) On-street bicycle facilities;
- (v) Off-street pedestrian and bicycle facilities;
- (vi) Secure bicycle parking facilities; and
- (vii) Traffic diversion improvements.

An infrastructure-related project under subparagraph (a) may be carried out on any public road or any bicycle or pedestrian pathway or trail in the vicinity of a primary or secondary school.

(b) **Non-infrastructure-Related Activities** – In addition to projects described in paragraph (a), amounts apportioned to a locality under the proceeding Section may be used for non-infrastructure-related activities to encourage walking and bicycling to primary and secondary schools, including:

- (i) Public awareness campaigns and outreach to press and community leaders;
- (ii) Traffic education and enforcement in the vicinity of primary and middle schools;
- (iii) Student sessions on bicycle and pedestrian safety, health and environment; and
- (d) **Allocation** – Not less than ten (10) percent and not more than thirty (30) percent of the amount apportioned to a local Government Unit for a fiscal year shall be used for non-infrastructure-related activities under this paragraph.

SECTION 111. Appropriations.

(1) **In General** – To carry out the provisions of this Article, such sums as may be necessary are hereby authorized to be appropriated from the national treasury.

(2) **Apportionment of Funds** – Subject to the preceding paragraph, amounts made available to carry out this program for a fiscal year shall be apportioned among the local government units in the ratio that bears to the total student enrollment in primary and secondary schools in the country.

(3) **Determination of Student Enrolments** – Determinations under this subsection concerning student enrolments shall be made by the Secretary.

SECTION 112. *Non-motorized Transportation Pilot Program.*

(1) **Establishment** – The Secretary of Transportation and Communications shall establish and carry out a non-motorized transportation pilot program to construct, in four communities selected by the Secretary, a network of non-motorized transportation infrastructure facilities, including sidewalks, bicycle lanes, and pedestrian and bicycle trails, that connect directly with transit stations, schools, residences, businesses, recreation areas, and other community activity centers.

(2) **Purpose** – The purpose of the program shall be to demonstrate the extent to which bicycling and walking can ease the burden on transportation systems, and represent a major portion of the transportation needs that are met, within selected communities.

(3) **Grants** –

(a) **In General** – in carrying out the program, the Secretary may make grants to local government units, and non-governmental organizations that the Secretary determines are suitably equipped and organized to carry out the objectives and requirements of this section.

(b) **Sub-allocation** – A Local Government Unit that receives a grant under this sub-section may sub-allocate grant funds to a non-profit organization to carry out the program under this section.

(c) **Availability** – Funds made available to carry this Section shall not be transferable and shall remain available until expended.

(4) **Statistical Information** – In carrying out the program, the Secretary shall:

(a) Develop statistical information on changes in motor vehicle, non-motorized transportation, and public transportation usage in communities participating in the program; and

(b) Assess how the changes:

(i) Decrease congestion and energy usage;

(ii) Increase the frequency of biking and walking; and

(iii) Promote better health and a cleaner environment.

(5) **Appropriations** – To carry out the non-motorized pilot program under this Section, such sums as may be necessary are hereby authorized to be appropriated from the National Treasury.

**ARTICLE XIX
SPECIAL RULES APPLICABLE TO HANDICAPPED PERSONS**

SECTION 113. *Special Bus Stops.* Special bus stops shall be designed for disabled persons. Discriminating against disabled persons in the carriage or transportation of passengers is hereby declared unlawful.

SECTION 114. *Penalties.* Any person violating the preceding section of this Article, upon conviction by a court of competent jurisdiction, shall suffer the penalty of imprisonment of not less than one month but not more than one year or a fine of P5,000.00 or both at the discretion of the court. Provided that in the case of corporations, partnerships, cooperatives or associations, the president, manager or administrator, or the person who has charge of the construction, repair or renovation of the building, space or utilities shall be criminally responsible for any violation of this Article.

SECTION 115. *Reserved Seat.* All public transport conveyances shall allocate a reserved seat properly marked to person with disabilities.

SECTION 116. *Apprehension.* The LTO shall apprehend and impound buses found not observing the requirement. The LTFRB shall suspend and/or cancel previously issued Certificate of Public Convenience (CPC) to bus operators/corporations found to have grossly violated the provision.

SECTION 117. *Issuance of Driver's License to Disabled Persons.* The following disabled person are qualified to secure driver's license, to wit:

(1)

(a) Orthopedically Impaired

(i) For upper limbs – amputated left arm or right arm with prosthesis

(ii) For lower limbs – amputated left leg or right leg-amputated left leg and right leg with prosthesis

(iii) Post-Polio – with one paralyzed leg either left or right

(b) Partially Blind – person with visual impairment either left eye or right eye

(c) Speech and Hearing Impaired – person unable to speak but can hear/can partially hear

(2) Applicant must be a holder of Student Permit and must have undergone apprenticeship period for at least one (1) month;

(3) He/She must be at least seventeen (17) years old;

(4) He/She must pass the required written and practical examination;

(5) All physically-handicapped persons who pass the qualification requirements shall be issued a Non-Professional driver license only;

(6) The applicant must submit a medical certificate with Official Receipt (OR) registered with BIR, indicating the physical state of the applicant from any government or private specialized physician, such as:

(a) Ophthalmologist – for visually-impaired applicant

(b) Rehabilitation Medicine Specialist – for orthopedically-impaired applicant

(c) Ears, Nose and Throat (ENT) – for speech and hearing-impaired applicant

(7) A medical certificate issued by any government or private specialized physician shall have the validity period of one (1) month reckoned from the date of issuance;

(8) Orthopedically impaired applicant should only drive the "customized vehicle" duly inspected and registered by the LTO and plate number duly indicated in the driver's license of driver's license receipt (DLR);

(9) A visually-impaired applicant is limited to daytime driving only, which is 6:00 PM;

(10) Holders of Professional or Non-Professional driver's license who belongs to the disabled categories in item number 1 of this Section must apply for a replacement of his driver's license with conditions/limitations, provided he/she must submit a medical certificate with Official Receipt stating his/her physical state from any specialized government or private physician stated in item number 6.

**ARTICLE XX
MISCELLANEOUS**

SECTION 118. *Reckless Driving.* No person shall operate a motor vehicle on any highway recklessly or without reasonable caution considering the width, traffic, grades, crossing, curvatures, visibility and other conditions of the highway and the conditions of the atmosphere and weather, or so as to endanger the property or the safety or rights of any person or so as to cause excessive or unreasonable damage to the highway.

SECTION 119. *Tampering with Vehicles.* No unauthorized person shall sound the horn, handle the levers or set in motion or in any way tamper with a damage or deface any motor vehicle.

SECTION 120. *Riding in Trailers.* A person shall not:

- (1) Drive a vehicle towing a trailer while any person is on or upon a trailer;
- (2) Ride in or upon a trailer while it is being towed unless written permit are complied with.

The provisions of this Section shall not apply to a motor vehicle being towed with all wheels on the ground.

SECTION 121. *Opening Doors and Alighting from Vehicles.*

(1) A person shall not:

- (a) Open or leave a door of a vehicle; or
- (b) Alight from a vehicle into a thoroughfare so as to cause danger to other road-users or to impede the passage of traffic.

(2) A person shall not drive a bus fitted with a door or doors capable of being opened or closed by the driver in his normal driving position unless every door is closed.

SECTION 122. *Putting Glass, etc., on Roads*

(1) No person shall throw, drop, place or leave or cause to be thrown, dropped, palced or left upon any road, any bottle, glass, nail or any substance or thing likely to endanger any person, animal or vehicle;

(2) No person shall place, deposit, keep on a thoroughfare or part thereof, gravel, sand, lumber or any other materials, substance or thing, including living creatures;

(3) The use of any road, street or highway, or any part thereof, for or in connection with the exercise of one's profession, business or occupation is prohibited;

(4) Any person who throws, drops, places or leaves or causes or allows to be thrown, dropped, placed or left upon any road, any bottle, glass, nail or any substance or thing likely to endanger any person, animal or vehicle, shall, as soon as practicable, thereafter remove it or cause it to be removed.

Any person removing a wrecked or damaged vehicle from a road, shall remove any glass or other destructive, injurious or dangerous substances or materials dropped upon the road from the vehicle.

SECTION 123. *Diggings, Constructions, etc., on Roads.* No person shall undertake, or cause to undertake diggings, constructions or repairs, put up installations and other similar projects on any road, street or highway, without the prior written permission of the city or district engineer and/or proper authority under whose jurisdiction the road, street or highways falls. The prohibition provided herein applies to all persons regardless of whether or not project for the government or any of its agencies or subdivisions.

Whenever construction or repairs shall be made, the available/ existing lanes of passage shall ensure that the workplace is clean, clear of construction debris, barricade, installed with necessary lighting and early warning device, and managed by presentable and recognizable private traffic aides.

SECTION 124. *Duty of electric companies/cooperatives and communications service providers.* Immediately after the occurrence of natural and man-made disasters/calamities, any felled or leaning posts or dangling electric/communication wires along the highways/streets that may obstruct the free passage and/or may pose dangers to the commuters shall be removed and rewired at the company's expense. The PNP and the DPWH shall ensure that the national highways are free from any obstructions that would delay the delivery of basic services and commodities and would impede rescue and rehabilitation. *Provided, that* an extreme emergencies, any obstruction to the free passage may be cut, felled and removed even without prior notice to the owner and the cost thereof be charged at the owner's expense.

SECTION 125. *Security of Loads.* No person shall drive a vehicle carrying a load, unless the load is arranged, contained, fastened or covered that neither the load nor any part of it will fall or otherwise escape from the vehicle.

Every load on a vehicle shall be so arranged, and, if necessary stowed as to prevent it from:

- (1) Endangering persons or causing damage to public or private property, more particularly by trailing or falling on the road;
- (2) Obstructing the driver's view or impairing the stability of driving of the vehicle;
- (3) Causing noise, raising dust, or creating any other nuisance which can be avoided.

SECTION 126. *Obstructing Roads.*

(1) A person shall not, without the written permission nuisance of the proper authority, drive or leave standing any vehicle on a road for the purpose of:

- (a) Soliciting employment or business from the vehicle; or
- (b) Displaying an advertisement on the vehicles; or
- (c) Offering goods for sale from the vehicle.

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

- (a) Soliciting employment or business from the vehicle; or
- (b) Displaying any advertisement.
- (c) Newspaper boys, cigarette / candy vendors, etc.

(3) A person in a vehicle shall not buy or offer to buy an article from any person standing or placed on a thoroughfare.

(4) A person shall not bar, impede or divert the flow or direction of traffic from any road, street or highway, unless authorized in writing, or except when the closure of a road or any part thereof to traffic or the diversion of traffic is dictated by reasons of emergency to protect the public from any calamity, fire or other grave public danger.

SECTION 127. *Obstruction of Traffic* No person shall drive his motor vehicle in such a manner as to obstruct or impede the passage of any vehicle, nor, while discharging or taking on passengers or loading or unloading freight, obstruct the free passage of other vehicles on the highway.

SECTION 128. *Public Use of Subdivision Roads.* Notwithstanding any provision of law, rules and regulations to the contrary, whenever necessary and possible as determined by the Department of Public Works and Highways, a subdivision or village situated within highly-urbanized areas shall open for public use at least one road within its boundaries to vehicular weight of up to 4400 kgs.

SECTION 129. *Towed Vehicles, Trailers, etc.*

(1) No person shall drive:

(a) An articulated vehicle to which any other vehicle is attached; or

(b) A vehicle (other than an articulated vehicle) to which more than one other vehicle is directly or indirectly attached unless written permission is first obtained from the Land Transportation office and all the conditions of the permit are complied with.

(2) No person shall drive a vehicle towing any other vehicle if the vehicle to be towed is of such weight or dimensions as to likely to prevent the driver from safely controlling both vehicles.

SECTION 130. *Processions.* No person shall drive a vehicle in an organized procession (including a funeral procession) or a parade except in accordance with the permission of the proper authority.

SECTION 131. *Use of Horns, etc.* No person shall use or cause to be used the horn or any other warning instrument on a vehicle, except when necessary as a traffic warning or as indication that the driver of the vehicle intends to overtake another vehicle.

SECTION 132. *Permits for Vehicles Carrying Explosives or Dangerous Substances.* A permit should be obtained from the proper authority for vehicles carrying explosives or dangerous substances. Such permit shall indicate the specific routes and time of travel of the vehicle.

SECTION 133. *Learners.*

(1) A yellow plate bearing a black letter "L" measuring fifteen centimeters (15 cm) in height shall be displayed on the front and rear of the motor vehicle by:

(a) Any holder of a driver's license and an accredited instructor, is sitting beside a person who is occupying the driver's seat learning to drive;

(b) Being a learner driver, is occupying the driver's seat and learning to drive.

(2) A person shall not drive a motor vehicle displaying a plate bearing "L" unless he is a bona fide learning to drive the motor vehicle or unless a person bona fide learning to drive is seated beside him.

(3) A learner shall always drive in the company of an accredited driving instructor or a holder of a licensed driver.

SECTION 134. *Duties of Drivers after Accidents.* Where owing to the presence of a vehicle on road, an accident occurs, the driver of every vehicle concerned in the accident:

(a) Shall stop his vehicle as soon as practicable;

(b) Shall immediately render such assistance as he can;

(c) Before leaving the scene of the accident, shall give his name and address of the owner of the vehicle and the registration and plate number of the vehicle, to every person injured or the owner or owners of the property;

(d) If any person was killed or injured, if the driver has not given his name and address to every owner of the property damaged or his representative, or if a fair

estimate of the cost of making good the damage to all property damaged is in excess of Two Thousand Pesos (P2,000.00), shall immediately after attending to his other duties at the scene of the accident has already taken such particulars; and

(e) If a person has been injured or killed in the accident, notify the police and remain on the scene of the accident or return to it and wait there until the arrival of the police, unless he has been authorized by the police to leave or has to assist the injured or to receive attention himself

SECTION 135. *Production of Driver's License to Police.*

(1) Any person who drives a vehicle on a road shall carry his driver's license with him at all times;

(2) Any person driving a motor vehicle on a road shall, when requested to do so by a member of the police force or any other authorized person, produce his license for inspection and state his true name and address;

(3) In this Section, "authorized person" shall mean a person authorized by or under any Act to require a driver of a motor vehicle on a road to produce his driver's license.

(4) A Bona fide tourist or transient which is holding an international may be permitted to operate a motor vehicle in the Philippines for a period not exceeding the expiry date of the said license.

ARTICLE XXI PENALTIES

SECTION 136. *Penalties of Violations for those not Specified.*

(1) Violations of the provisions of this Act by drivers and/or motorists, where there is no penalty specified under the particular Article, shall be penalized with graduated fines, as follows: Three Hundred Pesos (P300) for the first offense; Five Hundred Pesos (P500) for the second offense; One Thousand Pesos (P1,000) for the third offense; one-year suspension of the driver's license for the fourth offense and a fine of at least Two Thousand Pesos (P2,000); and

(2) For violation of this Act by persons other than drivers or motorists, the offender shall be penalized with a fine of Two Hundred Pesos (P200).

SECTION 137. *Penalty for Overloading.* An amount equivalent to twenty five percent (25%) of the MVUC shall be imposed on trucks and trailers for loading beyond their prescribed gross vehicle weight: provided, that no axle load shall exceed twelve thousand kilograms (12,000 kgs.)

SECTION 138. *Penalties and Fines for Use of Seatbelt.* In the enforcement of Republic Act 8750, otherwise known as an Act Requiring the Mandatory Compliance by Motorists of Private and Public Vehicles to Use Seat Belt Devices in all their Manufactured Vehicles, the LTO shall impose fines against drivers, operators, and owners of vehicles, manufacturers, assemblers, importers and/or distributors for violation of this Section.

The following shall be the basis in defining fine and penalty provisions of the implementing Rules and Regulations to be promulgated, provided that six (6) months grace period shall be allowed to lapse to conduct a nationwide information campaign:

(1) On the driver:

(a) For failure to wear the prescribed seat belt device and/or failure to require his passengers to wear the prescribed seat belt device, a minimum fine of THREE HUNDRED PESOS (P300) BUT NOT TO EXCEED One Thousand Five Hundred Pesos

(P1,500) for the first violation; a minimum of Five Hundred Pesos (P500) but not to exceed Two Thousand Pesos (P2,000) for the second violation; and a minimum fine of One Thousand Pesos (P1,000) but not to exceed Five Thousand Pesos (P5,000) and suspension of driver's license for a period of two (2) weeks for the third and succeeding violations;

(b) Public utility vehicles shall post appropriate signage's instructing front seat passengers to wear seat belts when inside the vehicle. Non-compliance hereof will hold both the driver and the operator liable and shall be fined a minimum of Five Hundred Pesos (P500) but not to exceed Five Thousand Pesos (P5,000) for every violation; and

(2) On any manufacturer, assembler, importer and distributor for every unit found without seat belt devices installed prior to its distribution to the public, a minimum fine of Six Thousand pesos (P6,000) but not to exceed Twelve Thousand Pesos (P12,000) for the first violation; a minimum fine of Fifteen Thousand Pesos (P15,000) but not to exceed Twenty Thousand Pesos (P20,000) and suspension of the license to manufacture, assemble, import or distribute for a period of three (3) years for the second violation; and a fine of Twenty Five Thousand Pesos (P25,000) but not to exceed Fifty Thousand Pesos (P50,000) and suspension of the license to manufacture, assemble, import or distribute for a period of five (5) years for the third violation.

SECTION 139. *Punishment for Other Offenses.* The conviction of any person for any offense under this Act shall not bar his prosecution for any offense which may have been committed by such person concurrently under other laws.

ARTICLE XXII FINAL PROVISIONS

SECTION 140. *Precedence of Act.* The provisions of this Act shall have precedence over all acts of provincial boards, city and municipal councils and other local authorities. No such board, city or municipal councils or local authority shall enact or enforce any ordinance or resolution in conflict with any of the provisions of this Act, the provisions of any local government charter to the contrary withstanding.

SECTION 141. *Enforcement.* The Department of Transportation and Communications shall be the agency primarily responsible in the enforcement and implementation of this Act. Within sixty (60) days from effectivity of this Act, the DOTC shall formulate and issue the necessary implementing rules, regulations and guidelines and shall mobilize available resources to assure the effective implementation of this Act.

It shall also be the responsibility of the Philippine National Police, and other duly authorized agencies to enforce the provisions of this Act; Provided, That only holders of a driver's license who have completed a traffic management training course shall be assigned as traffic enforcers of the Local Government Unit or assigned to the traffic division of the PNP.

SECTION 142. *Nationwide Public Information Campaign.*

(1) The DOTC, in coordination with the Philippine Information Agency (PIA), the Department of Education and private agencies and organizations, shall undertake a regular nationwide Information, Education and Communication (IEC) campaign for the attachment of the objectives of this Act;

(2) The DOTC, in coordination with the local government units, shall likewise utilize the services of citizen groups and community organizations for the promotion of public safety awareness in observance of this act.

SECTION 143. *Payment of Fines.* All fines imposed for violations of this Act, if uncontested, shall be paid either to the city, provincial or municipal treasurer of the place where the offense was committed, and allocate Fifty Percent (50%) of the same to be used for road traffic management and control functions in the city, province or town where the offenses were committed; Twenty-five Percent (25%) to be used for the

establishment of driver education programs and facilities; and twenty five percent (25%) to be used for an incentive program for the police and traffic enforcers.

SECTION 144. Appropriations. The amount necessary for the implementation of this Act shall be charged against the funds allotted to the DOTC under Republic Act 8794, commonly known as the "An Act Imposing a Motor Vehicle User's Charge on Owners of all Types of Motor Vehicles and for other purposes".

SECTION 145. Repealing Clause. The provisions of Republic Act No. 4136, Administrative Order No. 14, series of 1958 of the then Bureau of Public Highways, and other laws, executive orders, ordinance, resolutions or parts thereof, in so far as they are inconsistent with the provisions of this Act, are hereby replaced or modified accordingly.

SECTION 146. Separability Clause. If any provision of this Act is held invalid or unconstitutional, the remainder of the Act or the provision not otherwise affected shall remain valid and subsisting.

SECTION 147. Effectivity. This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in two (2) national newspapers of general circulation.

Approved,