



Republic of the Philippines
House of Representatives
Quezon City, Metro Manila

SEVENTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. **4561**



Introduced by Rep. Rodel M. Batocabe

EXPLANATORY NOTE

Metro Manila's traffic jams have become more notorious over the years. In a 2012 study conducted by the Japan International Cooperation Agency, the time people lose due to being stuck in traffic and the extra cost of operating vehicles in a traffic gridlock in Metro Manila and its nearby areas amount to approximately P2.4 billion a day.

A lot of factors contribute to the worsening traffic scenario: a bigger population in the metropolis area, more vehicles, quality of roads, lack of discipline amongst drivers and commuters, lack of education pertaining to traffic rules and regulations of the citizens, poor implementation of traffic rules and differing traffic rules of local government units (LGUs).

The Metropolitan Manila Development Authority (MMDA) reported that having unified traffic rules in local government units in Metro Manila could help ease the worsening traffic situation. The traffic rules differ in various LGUs in the metro. One example is in San Juan City where the LGU once prevented the MMDA from removing cars parked along its roads. San Juan officials reasoned its ordinance allows car parking along some of its thoroughfares. MMDA explains they are having difficulty in properly implementing their own rules as LGUs have their own policies on traffic that they insist should be obeyed. "If it's not allowed in this LGU, then it shouldn't be allowed in other LGUs. If the rule is applicable to all, then motorists should make a way to park their cars on the right place," MMDA said.

This bill seeks to establish a National Traffic Code for all cities and municipalities all over the country. All existing traffic ordinances shall yield to the provisions of this proposed measure. The significance of having a National Traffic Code is to have uniform rules as regards road safety, accident investigation, driver training, post-accident management, regulating the use and access of all roads, streets, parking areas, transport terminals including sidewalks and prohibiting the construction of any structures that will impede the free flow of traffic.

In view of the foregoing, approval of this bill is earnestly sought.



RODEL M. BATOCABE

Seventeenth Congress
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HOUSE BILL NO. **4561**

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**AN ACT
INSTITUTING A NATIONAL TRAFFIC CODE AND APPROPRIATING
FUNDS THEREFOR**

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

ARTICLE I

TITLE, POLICIES AND SCOPE

SECTION 1. *Short Title.* – This Act may be cited as the “*National
Traffic Code.*”

SEC. 2. *Declaration of Policy.* – It is hereby declared the policy of the
State that:

a) The flow of people and goods through road networks shall be as
efficient, safe, unhampered and orderly as possible for the economic and social
vitality and viability of the country;

1 b) Urban road space is a scarce commodity the competing use of which
2 must be allocated for the greatest good and the greatest number through judicious,
3 fair, participatory and informed traffic management system;

4 c) Traffic problems and issues must be resolved in a rational manner,
5 guided by facts and shaped through consultation, collaboration, and coordination
6 with the local government units, the Metropolitan Manila Development Authority,
7 national agencies like the Department of Public Works and Highways and the
8 Department of Transportation and the Office of the President; and

9 d) The public has the right to be informed and to participate in the
10 formulation of any measures that may affect their communities and traveling habits.

11 SEC. 3. *Exemptions for Emergency Vehicles.* – When it is expedient and
12 safe to do so, the driver of any emergency vehicle may:

13 a) Proceed and pass a traffic control signal displaying a red or amber
14 (yellow) circle or a red or amber (yellow) arrow, or proceed contrary to the direction
15 or instruction of any traffic control devices using a sounding siren, bell or repeater
16 horn;

17 b) Drive in any direction or any part of a road or overtake or pass on either
18 side of another vehicle using a sounding siren, bell or repeater horn;

19 c) Stop or park the vehicle at any place at any time; or

20 d) Exceed the speed limits prescribed in this Act.

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ARTICLE II

DEFINITIONS

SEC. 4. *Definition of Terms.* – As used in this Act:

a) *Abandoned vehicle* refers to any vehicle unattended for more than twenty-four (24) hours on a public highway;

b) *Authorized maintenance vehicle* refers to any vehicle of the national, province, city or municipal government used in street lighting, traffic signal, highway construction and highway repair and maintenance works;

c) *Authorized tow vehicle* refers to any vehicle specially constructed for towing vehicles, other than trucks and farm or road tractors, which is designated as an authorized tow vehicle by any local government units;

d) *Acceleration lane* refers to a speed change lane used for increasing speed and merging with fast moving vehicles;

e) *Bicycle path or lane* refers to a way established for the exclusive use of bicycles, including tricycles propelled by human power but excluding pushcarts and animal-drawn vehicles;

f) *Built-up area* refers to a type of street normally characterized by relatively low speeds, wide ranges of traffic volumes, narrower lanes, frequent intersections and driveways, significant pedestrian traffic, and prevalence of businesses and houses;

1 g) *Certificate of public convenience* refers to an authorization issued by
2 appropriate regulatory agencies for the operation of public utility vehicles as
3 required by law;

4 h) *Channelized intersection* refers to an intersection provided with islands
5 meant to guide and limit vehicle movements;

6 i) *Clear way* refers to a length of carriageway generally defined by signs,
7 along which vehicles may not stop or be left standing at times of the day as provided
8 on the signs;

9 j) *Drag racing* refers to a short race between two or more motor vehicles
10 as defined in (y) starting from a straightway, within a short distance, the winner
11 being that accelerates the fastest;

12 k) *Drag strip* refers to a site for a drag race;

13 l) *Deceleration lane* refers to a speed change lane used for decreasing
14 speed, preparatory to stopping or exiting a fast lane;

15 m) *Divided road* refers to a highway or road with separated carriageways
16 for traffic traveling in opposite directions;

17 n) *Emergency vehicle* refers to:

18 1. A motor vehicle conveying members of the police force on
19 urgent police duty;

20 2. A motor vehicle of a fire brigade traveling to or on duty at any
21 place in consequence of a fire or an alarm of fire;

1 3. A motor vehicle properly marked as an ambulance or any other
2 vehicle, answering an urgent call or conveying to a hospital any injured or a
3 sick person urgently requiring treatment;

4 4. A motor vehicle being used to obtain or convey blood or other
5 supplies, drugs or equipment for a person urgently requiring treatment which
6 may or may not carry a siren, bell or repeater horn for use as a warning
7 instrument; or

8 5. A motor vehicle duly authorized as an emergency vehicle.

9 o) *Footway* refers to that portion of the road set aside for pedestrian use
10 only;

11 p) *High beam* refers to the light projected from vehicle headlights such
12 that the main bright portion of the beam thereof rises above the horizontal plane
13 passing through the lamp centers parallel to the road level upon which the vehicle
14 stands;

15 q) *Horn* includes any or every device for signaling by sound;

16 r) *Illegally parked motor vehicles* refer to those parked, attended or
17 unattended, in areas, roads or streets where parking is prohibited;

18 s) *Intersection* refers to a place at which two or more roads cross;

19 t) *Laned thoroughfare* means a thoroughfare divided into two or more
20 marked lanes for vehicular traffic;

1 u) *Loading or unloading zones* refer to the areas designated whereby
2 motor vehicles stop to discharge passengers or to take in waiting passengers, or to
3 load or unload a small quantity of freight with reasonable dispatch;

4 v) *Low beam* refers to the light projected from vehicle headlights such that
5 none of the main bright portion of the beams thereof rises above a horizontal plane
6 passing through the lamp centers parallel to the road level upon which the vehicle
7 stands;

8 w) *Marked crosswalk* means a portion of a thoroughfare between two
9 parallel lines marked across the thoroughfare, intended for use of pedestrians;

10 x) *Merging* refers to the converging of separate streams of traffic into a
11 single stream;

12 y) *Motor vehicle* refers to any vehicle propelled by any power other than
13 muscular power using the public highways but excepting road rollers, trolley cars,
14 street sweepers, sprinklers, lawn mowers, bulldozers, graders, forklifts, amphibian
15 trucks, and cranes if not used in public highways, vehicles which run only on rails or
16 tracks, and tractors, trailers and traction engines of all kinds used exclusively for
17 agricultural purposes.

18 Trailers having any number of wheels, when propelled or intended to be
19 propelled by attachment to a motor vehicle is classified as separate motor vehicle
20 with no power rating.

21 z) *Motorized tricycle* refers to a motor vehicle composed of a motorcycle
22 fitted with a single-wheeled sidecar or two-wheeled cab;

- 1 aa) *Motorized tricycle-for-hire* refers to a motorized tricycle rendering
2 transport service to the general public;
- 3 bb) *Utility motorized tricycle* refers to a motorized tricycle rendering
4 transport services to a specific passenger or goods or a combination thereof;
- 5 cc) *Motorized tricycle operator's permit* refers to a document issued by the
6 city or municipal mayor granting a permit or license to operate to a person, natural
7 or juridical, allowing them to operate a tricycle within their territorial jurisdiction;
- 8 dd) *No parking area* refers to a portion of a thoroughfare between two
9 consecutive "No Parking" signs and with arrows pointing generally towards each
10 other or other appropriate signs;
- 11 ee) *One-way* refers to a thoroughfare on which vehicles are permitted to
12 travel in one direction only, as indicated by appropriate signs or signals;
- 13 ff) *Parking or parked* refers to an instance where the vehicle stops on the
14 shoulder or proper edge of a highway, and remains inactive in that place or close
15 thereto for an appreciable period of time but does not include motor vehicle which
16 properly stops merely to discharge a passenger or to take in a waiting passenger, or
17 to load or unload a small quantity of freight with reasonable dispatch and the motor
18 vehicle moves again away without delay;
- 19 gg) *Parking area* refers to a portion of the thoroughfare where parking is
20 permitted as indicated by appropriate notices or parking signs;
- 21 hh) *Public utility vehicle* includes any motor vehicle such as jeepney,
22 taxicab, bus and motorized tricycle offered for hire to the general public;

- 1 ii) *Reckless driving* refers to an act of a person who, while driving a motor
2 vehicle, fails to take such ordinary care which under the circumstances, is the legal
3 duty to do to avoid injury to person or property;
- 4 jj) *Road* refers to that part of the land surface designed or used for the
5 passage of vehicles, whether motorized or not, inclusive of sidewalks and shoulders
6 forming part of the right-of-way and referred to sometimes as street or highway;
- 7 kk) *Road marking* refers to any traffic control device laid out or painted on
8 the surface of the road or carriageway to regulate traffic or to warn or guide road
9 users, either alone or in conjunction with other signs or signals to emphasize or
10 clarify their meaning;
- 11 ll) *Roundabout* refers to an intersection where all traffic travels in one
12 direction around a central or circular island;
- 13 mm) *Separation line* refers to a line marked on the pavement of a
14 thoroughfare to separate traffic traveling in opposite direction;
- 15 nn) *Stalled vehicle* refers to a vehicle which for any cause or reason is
16 unable to proceed under its motive power and is found in area, road or street where
17 parking is prohibited;
- 18 oo) *Standing vehicle* refers to an instance where the vehicle is stationary for
19 the time needed to pick up or set down persons or to load or unload goods;
- 20 pp) *Stop line* refers to a line marked across the thoroughfare near a traffic
21 control signal, stop sign, children's crossing or intersection;

1 qq) *Thoroughfare* means that portion of a road improved, designed or used
2 for vehicular travel exclusive of the shoulder and footway;

3 rr) *Traffic control signal* means any device using a word, a symbol, a
4 colored light or any combination thereof operated mechanically, electrically,
5 manually or otherwise by means of which traffic may be controlled or regulated;

6 ss) *Traffic island* refers to a defined area within the roadway, usually at an
7 intersection and set off above ground level, from which traffic is intended to be
8 excluded and which is used for control of vehicular movements and as pedestrian
9 refuge;

10 tt) *Traffic management office* (TMO) refers to a department under the
11 office of the city or municipal mayor designated and authorized to perform traffic
12 engineering, planning, education and enforcement activities;

13 uu) *Trailer* refers to a vehicle not otherwise self-propelled, usually attached
14 to the rear of a motor vehicle;

15 vv) *Tricycle Zone* refers to a contiguous land area or block, which may be a
16 subdivision or a barangay, where a tricycle-for-hire may operate with a fixed origin
17 as their terminal but without a specified destination;

18 ww) *Two-way thoroughfare* means any thoroughfare where traffic is
19 permitted in opposite directions;

20 xx) *U-turn* means a movement which causes a vehicle facing or traveling in
21 one direction to face or travel in the opposite, or substantially the opposite direction;

yy) *Vehicle* means any conveyance or other device propelled or drawn by any means and includes a bicycle and, where the context permits, includes an animal driven or ridden, but does not include a train;

zz) *Waiting* means a vehicle permitted to remain stationary with the motor running; and

aaa) *Yellow box* refers to the portion of the intersection marked with yellow lines that should be kept clear of vehicles at all times.

ARTICLE III

CONSTRUCTION AND OPERATION OF TRAFFIC CONTROL ITEMS

SEC. 5. *Construction and Interference with Traffic Control Items.* – No person shall, except when duly authorized by the proper authority:

a) Construct, establish or display any traffic control sign or item on any road. Neither shall any person interfere in the view of any person for traffic control sign or items on any road. Destroying, altering or taking down any traffic control sign or item is likewise prohibited.

b) Construct, establish, place, maintain, or display on any road or in the view of any person on any road anything which purports to be a traffic control sign or item which interfere with the effectiveness of an approaching driver from clearly distinguishing the whole or part of any traffic control item that may distract the attention of the driver.

SEC. 6. *Limits on Operation of Signs.* – Any sign associated with a “No Parking Area,” “No Waiting Area,” or “Parking Area” or any sign of a kind referred

1 to in Section 9 shall be limited in its operation and effect in respect of days, periods
2 of the day, classes of vehicles or circumstances to the extent shown on the sign.

3 SEC. 7. *Traffic Control Signs or Items to be Operative.* – Where any
4 traffic control sign exists on road, it shall be effective and operative as a traffic
5 control item duly established for the purpose under this Act. All traffic control item
6 must conform to the requirements with respect to dimension, shape, color, position,
7 direction, angle or any other features prescribed by the Land Transportation Office
8 (LTO).

9 SEC. 8. *Use of Sirens, Dazzling Lights, Similar Gadgets.* – No private
10 person shall use or cause to be used sirens, bells, horns, whistles or similar gadgets
11 that emit exceptionally loud or startling sounds, and bright dome lights and
12 emergency red flashing lights installed in either front or rear, and emergency red
13 light blinkers and other similar signaling or flashing devices that actually impede
14 and confuse traffic and which are inconsistent with sound traffic discipline and
15 control on the roads.

16 ARTICLE IV

17 OBEDIENCE TO TRAFFIC CONTROL SIGNALS AND SIGNS

18 SEC. 9. *Obedience to Traffic Control Signals.* – Every person shall, at
19 all times, observe and comply with the instructions of any traffic control signal. The
20 display by a traffic control signal of:

21 A. *A green circle is an instruction that:*

1 1. A driver facing the traffic control signal may proceed straight ahead
2 turn left or turn right unless a signal at such place prohibits either such turn. Vehicles
3 turning right or left shall give way to any opposing traffic and pedestrians.

4 2. A green signal and walking man symbol is an instruction that a
5 pedestrian facing the traffic control signal may proceed across the thoroughfare;

6 B. *An amber (yellow) circle alone is an instruction that:*

7 1. A driver facing the traffic control signal shall not proceed beyond the
8 stop line, or in the absence of a stop line, the traffic control signal itself, unless the
9 vehicle is so close to the stop line or traffic control signal when the color amber first
10 appears that the driver cannot safely stop the vehicle before passing the stop line or
11 traffic control signal;

12 2. A pedestrian facing the traffic control signal shall not obstruct vehicles
13 entering or approaching the intersection;

14 C. *A red circle alone is an instruction that:*

15 1. A driver facing the traffic control signal shall not proceed straight ahead
16 or turn left beyond the stop line, or in the absence of a stop line, shall not proceed
17 straight ahead or turn left beyond the traffic control signal itself;

18 2. A pedestrian facing the traffic control signal shall not obstruct vehicles
19 entering or approaching the intersection;

20 D. *Red square and standing man signal.* – A red square and standing man
21 signal is an instruction that a pedestrian facing the traffic control signal shall not
22 enter upon the thoroughfare;

1 E. *Green arrow.* – A green arrow is an instruction that a driver facing the
2 traffic control signal may proceed in the direction indicated by the arrow;

3 F. *Amber (yellow) arrow.* – An amber (yellow) arrow is an instruction that
4 a driver facing the traffic control signal shall not, for the purpose of proceeding in
5 the direction indicated by the amber arrow, proceed beyond the stop line or, in the
6 absence of a stop line, shall not enter the intersection at or near which the traffic
7 control signal is erected unless the vehicle is so close to the stop line or the
8 intersection when the amber arrow first appears that the driver cannot safely stop the
9 vehicle before passing the stop line or entering the intersection;

10 G. *Red arrow.* – A red arrow is an instruction that a driver facing the
11 traffic control signal shall not, for the purpose of proceeding in the direction
12 indicated by the red arrow, proceed beyond the stop line or, in the absence of a stop
13 line, shall not enter the intersection at or near, which the traffic control signal is
14 erected.

15 SEC. 10. *Obedience to Signs.* – Traffic signs shall be obeyed by motorists
16 at all times. For purposes of this Article:

17 a) A driver shall not cause the vehicle to turn at any intersection contrary
18 to the instruction to turn on any “No Turns,” “No Left Turn,” “No Right Turn” or
19 “No U-Turn” signs erected to face an approaching driver at or near the intersection.

20 b) Where a “One Way” sign is erected to face a driver entering a
21 thoroughfare to face an approaching driver, the driver shall not proceed on that
22 thoroughfare beyond the sign.

1 c) Where a “No Entry” sign is erected over or adjacent to a thoroughfare
2 to face an approaching driver, the driver shall not proceed on that thoroughfare
3 beyond the sign.

4 d) Where a “No Overtaking or Passing” sign is to face an approaching
5 driver, the driver shall not overtake or pass a vehicle traveling the same direction.

6 e) Where a “No Overtaking on Bridge” sign is erected near a bridge to
7 face an approaching driver, the driver shall not overtake a vehicle on the bridge. A
8 driver shall not drive a vehicle and its load, including trailer attached to it, when it
9 exceeds the weight indicated on the bridge load limit sign facing the driver.

10 f) Where a “Keep Right” sign is erected to face an approaching driver, the
11 driver shall pass to the right of the sign. Where a “Keep Left” sign is erected to face
12 an approaching driver, the driver shall pass to the left of the sign.

13 g) Where a “Stop” sign is erected to face a driver who is approaching or
14 has entered an intersection, the driver shall stop the vehicle before reaching and as
15 near as practicable to the stop line associated with the sign or, in the absence of a
16 stop line, at the point nearest the first intersecting thoroughfare where the driver has
17 a clear view of traffic approaching the intersection. On reaching and after passing
18 such sign, give way to any vehicle which is entering or within or leaving the
19 intersection, except where that vehicle is facing, or has passed a “Stop” sign or a
20 “Give Way” sign erected at the intersection and is about to turn, or is turning at the
21 intersection.

h) Where a "Give Way" (or "Yield") sign erected to face a driver who is approaching or has entered an intersection, the driver shall on reaching or after passing such sign give way to any vehicle which is entering or within or leaving the intersection road, except where that vehicle is facing, or has passed a "Stop" sign or "Give Way" sign erected at the intersection and is about to turn, or is turning at the intersection. Where a "Give Way" sign is erected to face a driver approaching a bridge, the driver shall not pass the sign while any vehicle traveling in the opposite direction is between the sign and far end of the bridge.

i) Where a "No U-Turn" sign is erected adjacent to a thoroughfare to face an approaching driver, the driver, shall not make a U-Turn while the driver 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 the driver has passed the intersection.

ARTICLE V

GENERAL DRIVING RULES

SEC. 11. *Keeping as Far Right as Practicable.* – A driver shall keep the vehicle so close as practicable to the right boundary of the thoroughfare except where there are two or more lanes marked on the thoroughfare available exclusively for traffic in the direction in which the driver is traveling.

SEC. 12. *Overtaking.* – The following shall be observed with utmost caution:

1 a) When overtaking a moving vehicle, a driver shall pass to the left of that
2 vehicle and shall not drive in front of it until the vehicle is safely clear: *Provided,*
3 That where a thoroughfare has two or more marked lanes, vehicles traveling in one
4 of those lanes may overtake and pass to the right of a vehicle traveling in another of
5 those lanes, if traffic conditions permit the driver to do so with safety.

6 b) A driver overtaking a vehicle making or apparently about to make a left
7 turn shall pass to the right of it.

8 c) If the thoroughfare is not divided into three lanes, a driver shall not
9 drive to the left of the center of the thoroughfare, unless the left side of the
10 thoroughfare is free of traffic far enough to permit the overtaking movement to be
11 completed in safety.

12 d) If the thoroughfare is divided into three lanes, a driver shall not drive in
13 the center lane unless that lane is free of traffic far enough to permit the overtaking
14 movement to be completed in safety.

15 SEC. 13. *Use of Center and Left Lanes of Three-Lane Thoroughfare. –*

16 On a two-way thoroughfare divided into three lanes, a driver shall not drive the
17 vehicle in the center lane, except to overtake another vehicle in accordance with the
18 rules on overtaking or where the driver is preparing for a left turn.

19 SEC. 14. *Passing vehicles. –* A driver passing a vehicle traveling in the
20 opposite direction shall keep to the right relative to that vehicle.

21 SEC. 15. *Giving Way to Overtaking Vehicles. –* Except where overtaking
22 on the right is permitted, the driver of a vehicle being overtaken shall not increase

1 the speed of the vehicle until it has been completely passed by the overtaking
2 vehicle, and shall yield in favor of the overtaking vehicle upon the driver of the
3 overtaking vehicle sounding and signaling a warning instrument.

4 SEC. 16. *Drivers not to Obstruct Traffic.* – A driver shall not, without
5 proper cause, drive a vehicle abnormally slow or in such other manner as to obstruct,
6 hinder, or prevent the free passage of any person or vehicle. In a thoroughfare with
7 two or more lanes in the same direction, lane hugging or occupancy of more than
8 one lane for a length of time not called by traffic conditions shall be considered as an
9 obstruction.

10 SEC. 17. *Driving in Lanes on Thoroughfare.* – A driver shall drive the
11 vehicle as nearly as practicable entirely within single marked lane or a single line of
12 traffic and shall not move literally from such lane or line of traffic until the driver
13 can do so safely. A driver traveling along a marked lane any boundary of which is a
14 single unbroken line shall not permit any part of the vehicle to cross that line, except
15 when safety demands otherwise.

16 SEC. 18. *Driving Through Roundabouts.* – A driver passing through a
17 traffic roundabout shall drive to the right of the central traffic island.

18 SEC. 19. *Keeping Right of Double Yellow Lines.* – Where a thoroughfare
19 is marked with a double yellow longitudinal line comprising of yellow continuous
20 lines or a yellow continuous line on the right of a white broken line, a driver shall
21 not permit any portion of the vehicle to travel on or over or to the left of the double
22 yellow longitudinal line.

SEC. 20. *Driving in Bicycle Lanes.* – Whenever a law or an ordinance provides for a bicycle lane, motor vehicles are prohibited from being driven or parked on any lane of a public street or path reserved exclusively for bicycles and provided with a sign bearing a symbol of bicycle.

SEC. 21. *Driving in Reserved Lanes.* – In order to encourage efficiency in the use of road space, specific lanes of a major thoroughfare may be reserved for certain types of vehicles such as public utility buses, jeepneys and other high-occupancy vehicles. Vehicles not otherwise mentioned in the signs posted therein are prohibited, at times and days indicated, from being driven in those reserved lanes.

SEC. 22. *Driving Over a Yellow Box.* – A portion of an intersection marked with a yellow box must always remain unobstructed and open for passage. A driver must not enter a yellow box if the exit road or lane from it is not clear, or if the driver cannot cross and go beyond the boundaries of the box in time before the traffic signal turns to red.

ARTICLE VI

GIVING WAY

SEC. 23. *Giving Way at Intersections.* – A driver approaching or passing through an intersection shall exercise special care and, where appropriate, shall drive at a reduced speed. A driver of a vehicle which is approaching an intersection from one thoroughfare shall give way to any vehicle which has entered the intersection except that where the two vehicles have entered at the same time, the driver which

1 has the other vehicle on the right shall give way: *Provided*, That where traffic
2 control signals are erected at or near an intersection, the driver may proceed in
3 accordance with the instruction of any such signal or when the driver of a vehicle
4 having another vehicle on the right at an intersecting thoroughfare is facing or
5 passed a "Give Way" or "Stop" sign.

6 SEC. 24. *Giving Way during Turns.* – Subject to the provisions of Section
7 10, a driver who intends to turn, is turning or has turned to the left at an intersection,
8 shall give way to any vehicle which has entered or is approaching the intersection
9 from the opposite direction. A driver turning to the right or left at an intersection
10 shall give way to all pedestrians. A driver making a U-Turn shall give way to all
11 other vehicles and to all pedestrians.

12 SEC. 25. *Giving Way to or from Parked Vehicles.* – A driver who is about
13 to drive or is driving a vehicle into or out from a parking area or the boundary of a
14 thoroughfare shall give way to all other vehicles. A driver shall not move in reverse
15 out of a parking area and cross the center of a thoroughfare, unless traffic conditions
16 permit the driver to do so.

17 SEC. 26. *Giving Way to Emergency Vehicles.* – A driver shall give way
18 and make reasonable effort to give clear and uninterrupted passage to every
19 emergency vehicle sounding a siren, bell or repeater horn, or using other signals to
20 indicate an emergency.

21 SEC. 27. *Entering or Leaving a Road.* – A driver entering an abutting
22 road shall, except when proceeding pursuant to an instruction of a traffic-control

1 signal, a traffic policeman, a traffic aide or duly authorized traffic enforcers, give
2 way to all vehicles traveling in either direction and to all pedestrians on the road. A
3 driver leaving a road to enter land abutting, shall give way to all vehicles traveling in
4 the opposite direction and to all pedestrians on the road.

5 SEC. 28. **Roundabouts.** – In a roundabout or rotunda, the first vehicle to
6 enter takes precedence over a vehicle approaching or about to enter. Hence, the
7 driver of a vehicle entering a roundabout shall give way to any vehicle on the
8 immediate left unless otherwise indicated. Within the rotunda, the driver must give
9 way to vehicles intending to leave the nearest exit point.

10 ARTICLE VII

11 SPEED RESTRICTION

12 SEC. 29. **Speed Limits.** – No person shall drive a vehicle at a speed
13 exceeding the design limits for the street as indicated by numerals on signs set up
14 along the road. In the absence of street signs regulating speed, the driver shall not
15 exceed the maximum speed applicable to the vehicle and fixed by any law,
16 ordinance or regulation. However, speed limits shall not be construed to justify any
17 person driving a vehicle at a speed which may constitute driving carelessly,
18 recklessly or at a speed or in a manner which is dangerous to the public having
19 regard to all the circumstances.

20 SEC. 30. **Drag Racing Banned.** – It shall be unlawful for any person to
21 engage in or to aid any motor vehicle, drag racing speed contest or exhibition of
22 speed at all times on any highway, drag strip, road, and avenue without the proper

1 permit issued by the local government unit (LGU) concerned, upon prior
2 consultation with the Land Transportation Office (LTO).

3 SEC. 31. ***Persons Liable.*** – The organizers, participants, flag down men,
4 persons manning the finish line, look-outs and any other person rendering assistance
5 in the conduct of the drag racing as contemplated in the preceding section shall be
6 held liable for violation of Section 30 of this Act.

7 SEC. 32. ***Penalties.*** – The penalty of imprisonment of one (1) year, or a
8 fine of Five thousand pesos (P5,000.00), or both, at the discretion of the court shall
9 be imposed upon those found guilty of drag racing.

10 SEC. 33. ***Enforcement.*** – The Philippine National Police (PNP) having
11 jurisdiction of the venue of the drag race and the LGU concerned is hereby ordered
12 to strictly implement the provisions of Article VII of this Act.

13 It shall also be the obligation of the arresting personnel of the police force to
14 examine the driver's license of the participants in the drag race and the vehicles used
15 to ascertain violations of existing laws and regulations and to file the necessary
16 charges if warranted against those responsible therein.

17 ARTICLE VIII

18 ONE-WAY STREETS

19 SEC. 34. ***Designation of One-Way Streets.*** – The sangguniang bayan of a
20 municipality or the sangguniang panglungsod of a city may designate as one-way,
21 roads, streets and avenues to ease traffic within their jurisdiction. To meet an
22 impending emergency, the mayor may also designate one-way streets or diversion of

1 the flow of traffic: *Provided*, That within three days from such designation, the
2 matter shall be referred to the appropriate sangguniang bayan or sangguniang
3 panglungsod for concurrence. If no action is taken by the sanggunian within three
4 (3) months of referral, the same shall be deemed approved.

5 SEC. 35. ***Operating Rule.*** – The driver shall drive along a one-way
6 thoroughfare only in the direction indicated by the arrow on the sign.

7 ARTICLE IX

8 TURNING, REVERSING AND STOPPING

9 SEC. 36. ***Right Turns.*** – A driver who is about to make a right turn at an
10 intersection shall so drive the vehicle that when it reaches the intersection it shall be
11 to the right of any vehicle abreast of the vehicle of the driver and traveling in the
12 same direction, or at the rightmost lane of a thoroughfare: *Provided*, That this
13 section shall not apply to a driver whose vehicle is in a marked lane allocated
14 exclusively to right-turning vehicles.

15 SEC. 37. ***Left Turns.*** – Whenever a driver is about to make a left turn at an
16 intersection on a two-way thoroughfare, the driver shall approach and enter the
17 intersection so that the vehicle is to the right of, parallel to and as near as practicable
18 to the center of the thoroughfare. If it is a one-way thoroughfare, he shall approach
19 and enters the intersection so that the vehicle is parallel to and as near as practicable
20 to the left boundary or leftmost lane, of the thoroughfare. This shall not apply if the
21 vehicle is in a marked lane which has a sign alongside or over it or markings on its
22 surface indicating that a left turn must or may be made.

1 SEC. 38. *Bicycle.* – A person on bicycle who is about to make or is making

2 a left turn at an intersection may make the left turn so that:

3 a) The cyclist approaches such intersection parallel to and as near as
4 practicable to the right boundary of the thoroughfare;

5 b) The cyclist enters the intersection and proceeds in a straight line until
6 the bicycle is as near as practicable to the prolongation of the right boundary of the
7 thoroughfare the cyclist is about to enter; and

8 c) The cyclist turns the bicycle to the left and after giving way to vehicles
9 on the left and right leaves the intersection in accordance with the provisions of this
10 section, but when any traffic control signal is operating at the intersection, a cyclist
11 shall wait before turning and shall not proceed to leave the intersection until the
12 traffic control signal is displaying a green light indicating the appropriate direction
13 of the intended movement.

14 SEC. 39. *Turn and Stop Signals.* – A driver shall not:

15 a) Turn or diverge right or left, stop, suddenly decrease speed, or make a
16 U-turn without giving a signal.

17 b) A driver who is about to turn right or left, diverge right or left, stop,
18 suddenly decrease speed or make U-turn shall signal his intent of doing so for such
19 time as is necessary to give reasonable warning to drivers approaching from behind.

20 c) A signal shall be deemed to give reasonable warning if given
21 continuously while a vehicle is traveling thirty (30) meters immediately before it
22 commences to turn and during any period when it is stationary before it comes to

1 turn or while a vehicle is traveling thirty (30) meters immediately before it
2 commences to diverge right or left or while the brakes of the vehicle are applied
3 before it stops or while it is slowing down.

4 d) A signal of intention to stop or reduce speed suddenly shall be given by
5 means of stop lamp or red lamps. In the case of a signal of intention to turn or
6 diverge right or left or to make U-turn, by means of a flashing orange lamp signaling
7 device. All signaling device shall comply with the specifications prescribed by the
8 LTO.

9 SEC. 40. *Use of Signaling Devices.* – A driver shall not permit a signaling
10 device on the vehicle to remain in operation after the completion of the turn or
11 divergence in respect of which the device was put into operation.

12 SEC. 41. *U-turns.* – All cities or municipalities may designate U-turn slots
13 within their jurisdiction. A driver shall not cause the vehicle to make a U-turn where
14 there is a probability of colliding with another vehicle or interfering with the free
15 movement of traffic or on any intersection at which a traffic control sign or signal
16 prohibits a U-turn.

17 SEC. 42. *Procedure at Channelized Intersection.* – When accelerating or
18 decelerating lanes are provided for right or left turns at unsignalized intersection,
19 vehicles shall proceed as follows:

20 a) Vehicles intending to turn right into a roadway entrance by means of a
21 right turn accelerating lane shall enter such roadway by means of the accelerating

1 lane so provided, and shall merge with caution into the right hand traffic lane, unless
2 otherwise instructed.

3 b) Vehicles intending to turn right from a roadway exit, from which is
4 made by means of a right-turn decelerating lane, shall enter the decelerating lane and
5 merge with caution into the right hand traffic lane, unless otherwise instructed.

6 c) Vehicles intending to turn left into the far roadway of a divided
7 highway shall come to a complete stop before crossing the near roadway of such
8 highway and shall merge with caution into the left hand lane of the far roadway,
9 unless otherwise instructed.

10 d) Vehicles intending to turn left from a divided highway exit, by means
11 of a left turn decelerating lane constructed in the medial strip area, shall enter
12 decelerating lane and shall yield the right of way to approaching vehicles before
13 proceeding with caution across the intersection and into the intersecting roadway,
14 unless otherwise instructed.

15 ARTICLE X

16 STOPPING AND PARKING OF VEHICLES

17 SEC. 43. *Vehicles not to be in Certain Areas.* – Whenever a driver is
18 traveling in a thickly populated or highly urbanized area, the driver shall not:

19 a) Leave a vehicle waiting in a "No Waiting Area;"

20 b) Park a vehicle in a "No Parking Area," except when loading or
21 unloading goods or passengers;

22 c) Leave a vehicle waiting in a "No Stopping Area," for any purpose;

d) Leave a vehicle waiting in a parking area contrary to any limitation in respect of days, periods of the day, class of vehicles indicated by the inscription on the sign or signs associated with the area.

However, a person may park a vehicle in a "No Parking" area or leave a vehicle waiting in a "No Waiting" area or "No Stopping" area during anytime that the restriction is suspended or the area exempts the vehicle from the restriction imposed within the area.

SEC. 44. *Prohibited Parking or Waiting Places.* – The streets designated by cities or municipalities as "No Parking" or "No Waiting" areas shall be respected. No person shall park or leave a vehicle waiting so that any portion of the vehicle is:

- a) Between any other waiting vehicle and the center of the thoroughfare;
- b) Between the pedestrian zone and the nearest curb;
- c) In front of a right-of-way passage or private driveway;
- d) In front of a footway constructed across a reservation;
- e) Alongside or opposite any excavation if the vehicles obstructs traffic;
- f) On any footway marked crosswalk or pedestrian crossing;
- g) Upon a bridge or other elevated structure or within a tunnel or underpass;
- h) Upon an intersection;
- i) On any portion of a thoroughfare on which the words "Keep Clear,"
- j) Within one (1) meter of any fire hydrant or fire plug or any sign or mark indicating the existence of a fire hydrant or fire plug;

k) Within three (3) meters of a letter pillar or letter box unless the vehicle is being used for the purpose of collecting postal articles from the pillar or box;

l) On a reservation, on a parking space of a business establishment of private ownership, the owner placing their signage indicating that the parking space is for the exclusive use of its officers, employees, customers or clients at the entrance preventing other vehicles from parking therein;

m) On a bicycle lane;

n) Upon a bus and public utility jeepney lane except that a public utility vehicle may remain waiting while persons are actually entering or alighting from vehicle;

o) Within six (6) meters of any intersection or curve or any curbed lane;

p) On any place where official signs have been erected prohibiting parking or declared as no parking zones by proper authorities.

SEC. 45. *Method of Parking Vehicles.* – Any driver who parks or leaves a vehicle waiting on a thoroughfare shall park or leave the vehicle waiting:

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

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

1 c) So that not less than three (3) meters of the width of the thoroughfare
2 between the vehicle and the far boundary of the thoroughfare is available for the
3 movement of other vehicles;

4 d) In a manner that it does not cause undue obstruction on the
5 thoroughfare; and

6 e) Where parking bays are marked on the thoroughfare, entirely within the
7 confines of a single bay;

8 Paragraphs (a) and (b) of this section shall not apply to a person leaving a
9 vehicle waiting in a parking area.

10 SEC. 46. *Parking Near Grade or Curve.* – No person shall park or leave a
11 vehicle waiting on or near a crest or curve so that any portion of it is upon a
12 thoroughfare unless a driver approaching from the rear would have a clear view of
13 the vehicles for a distance of at least forty-five (45) meters. No person shall park or
14 leave a car within six (6) meters of the curve of any intersection or curbed lane.

15 SEC. 47. *Parking on Parade Routes and on Any Special Occasion.* – All
16 cities and municipalities may authorize their corresponding traffic management
17 office, whenever it deems necessary, to prohibit or restrict the parking of any vehicle
18 on either or both sides of any street or portion thereof, constituting a part of the route
19 of a parade or procession, or on any special occasion, and also upon any street
20 adjacent thereto by the placement of temporary signs setting forth such
21 restrictions. When such signs are placed prior to the parade, procession or special
22 occasion, it shall be unlawful to park or leave unattended any vehicle in

1 violation of such signs. A traffic enforcer assigned in the area is authorized to
2 remove, or cause to be removed, any vehicle left unattended or parked in violation of
3 such signs at the owner's expense.

4 SEC. 48. *Parking for Certain Purposes Prohibited.* – No person shall park
5 a vehicle upon any roadway for the purpose of displaying such vehicle for sale or
6 washing, greasing or repairing such vehicle except repairs necessitated by an
7 emergency.

8 SEC. 49. *Parking in Front of Residential or Commercial Establishment.*
9 – No person shall appropriate for exclusive use a street or road allotted as parking
10 space in front of a residential or commercial establishment unless it is privately
11 owned. Installation of signage or markings indicating reservation of its use is
12 prohibited.

13 SEC. 50. *Loading and Unloading Zones.* – A driver of a truck may park
14 the vehicle in a "Loading Zone" when actually taking up or setting down goods,
15 provided the driver of the truck is present at all times and attending to the same. A
16 driver of a public utility vehicle shall stop, pick up or unload passengers only at
17 designated loading zones. On sections of the road where there is no prohibition
18 against loading and unloading, the driver of public utility vehicle may stop to take
19 up or set down passengers provided it is fifty (50) meters away from a signalized
20 intersection.

21 SEC. 51. *Authorized Removal of Vehicles.* –

1 a) Whenever any traffic enforcer finds a standing vehicle along a road in
2 violation of any of the foregoing provisions, such enforcer is authorized to move
3 such vehicle, or require the driver, or other person in charge of the vehicle to move
4 the same, to a position off the paved or traveled part of the road.

5 b) Whenever any traffic enforcer finds a vehicle unattended upon any bridge
6 or causeway where such vehicle constitutes an obstruction to traffic, such officer is
7 authorized to remove such vehicle to the nearest garage or other place of safety.

8 c) The driver or owner of the removed vehicle bears the expenses incurred
9 including towing fees.

10 SEC. 52. *Authority to Dispose of Unclaimed Vehicles.* – The city or
11 municipality, in accordance with their existing ordinance, or in the absence thereof,
12 pursuant to this section, is hereby authorized to dispose of vehicles that have been
13 taken into custody. Such disposition shall be at public auction under such
14 procedure, as the city or municipality may adopt and in accordance with existing
15 government accounting and auditing rules. Written notice of such auction shall be
16 sent to the last known address of the registered owner by certified mail at least ten
17 (10) days prior to the date of auction, and the auction shall be held not earlier than
18 sixty (60) days after such vehicle have been taken into custody.

19 Any person entitled to such vehicle may claim the vehicle at any time prior to
20 such auction upon payment of all costs and expenses relating to the towing and
21 storage of such vehicle. The funds derived from any such auction shall be used to
22 defray the expenses of auction and any other expenses incurred in taking into

1 custody and the balance if any, shall become part of the traffic development fund of
2 the city or municipality concerned.

3 **ARTICLE XI**

4 **PARKING ZONES AND FACILITIES**

5 **SEC. 53. *Designation of parking zones.*** – All cities or municipalities may
6 pass an ordinance establishing, marking and designating portions of a thoroughfare
7 as pay parking zones. The traffic management office may expand, reduce, amend or
8 modify from time to time, subject to approval of the mayor, copy furnished the
9 sangguniang bayan or sangguniang panglungsod within one month of any change or
10 revision. The revised list shall be final if not acted by the sangguniang bayan or
11 sangguniang panglungsod within three (3) months from receipt thereof.

12 **SEC. 54. *Off-street Parking Facilities and Transport Terminals.*** –

13 a) Off-street parking facilities and public transport terminals may be
14 constructed, operated and maintained by the city or municipality or by private
15 entities, subject to an authorization by the sangguniang bayan or sangguniang
16 panglungsod upon the recommendation of the traffic management office and
17 approval of the Mayor.

18 b) If so required by the traffic impact analysis, the traffic management
19 office may also require major commercial developments to incorporate off-street
20 parking facilities into their building plans, before a building permit is issued.

21 **SEC. 55. *Pay Parking Charges and Signs.*** – Appropriate signs, indicating
22 the parking charges, the time that such facility is open for business, shall be installed

1 at each public parking facility including streets or roads declared by any city or
2 municipality as pay-parking

3 SEC. 56. *Overnight Parking.* — In cities or thickly populated
4 municipalities, overnight parking on streets or roads not designated as pay parking
5 zones may be determined by the traffic management office, in consultation with the
6 barangay, subject to the approval of the mayor. Those local roads that may be
7 designated, shall be on a one-side parking basis and shall in no case prevent egress
8 or passage. No alley or road less than three (3) meters in width shall be designated as
9 overnight parking zones.

10 SEC. 57. *Enforcement of Overnight Parking.* — The enforcement of
11 overnight parking shall be undertaken by the city or municipal traffic management
12 office upon compliance with the following:

13 a) The barangay shall consult the traffic management office in
14 determining which of the local roads may be utilized for overnight parking before
15 enacting an ordinance to that effect.

16 b) Overnight parking shall be limited to the hours of 9:00 p.m. to 6:00 a.m.
17 the following day or as may be prescribed by the ordinance.

18 c) As far as practicable, vehicles owned by the residents of the barangay
19 shall be given priority. Cargo trucks or tractor trailers of eight wheels and up shall
20 not be allowed to avail of overnight parking except by reason of emergency repair
21 which must be accomplished as expeditiously as possible. Cargo trucks found

1 parking during these hours shall be towed to the vehicle impounding area, and the
2 driver must be required to pay the corresponding fines.

3 d) The cost of the tickets or receipts issued by the barangay for collection
4 of overnight parking fees shall be chargeable to the city or municipality of the
5 barangay.

6 e) Overnight parking fees shall be determined by the traffic management
7 office subject to the approval of the mayor. A copy shall be furnished to the
8 sangguniang bayan or sangguniang panglungsod. The overnight parking fees shall
9 be deemed final if no action is made within sixty (60) days from receipt thereof.

10 f) The barangay treasurer duly designated by the city or municipal
11 treasurer shall remit collections pertaining to the share of the city or municipality to
12 the office of the city or municipal treasurer.

13 SEC. 58. ***Parking Violations.*** – Within any pay parking facility, it shall be
14 unlawful for any person:

15 a) To refuse or fail to pay the parking charges;

16 b) To park any vehicle across any line or marking of a parking space or in
17 such position that the vehicle is not entirely within the area designated by such lines
18 or markings;

19 c) To tamper or damage any vehicle parked in the same parking facility;

20 d) To park any vehicle for the purpose of washing, cleaning, greasing or
21 repairing except repairs necessitated by an emergency in a designated area within the
22 parking facility;

1 e) To display for sale or to sell goods or merchandise; and

2 f) To disregard any official direction, instruction or restriction posted in
3 the parking facility.

4 ARTICLE XII

5 DRIVING UNDER THE INFLUENCE OF LIQUOR OR DRUGS

6 SEC. 59. *Scope.* – The provisions of this Article apply to drivers, vehicles
7 and pedestrians on any road at any place. The penalty provided in the Revised Penal
8 Code for reckless driving applies.

9 SEC. 60. *Reckless Driving.* – No person shall operate a motor vehicle on
10 any road recklessly or without reasonable caution considering the width, traffic,
11 grades, crossing, curvatures, visibility and other conditions of the road and the
12 conditions of the atmosphere and weather that endanger the property or safety or
13 rights of any person, or cause excessive or unreasonable damage to the road.

14 SEC. 61. *Driving a Motor Vehicle Under the Influence of Liquor or*
15 *Drug.* – No person shall drive a motor vehicle while under the influence of liquor or
16 drug. For purposes of this section, a driver is considered under the influence of
17 liquor or drugs, if, at the time of competent examination performed in accordance
18 with Republic Act No. 10586 otherwise known as "*Anti-Drunk and Drugged*
19 *Driving Act of 2013*" and its implementing rules and regulations, the driver is found
20 to reached the level of intoxication or, in the case of drugs, after the driver has been
21 subjected to confirmatory test, is found to be positive for use of any prohibited

1 drugs. The operation of any transport unit, although not motorized, in the manner
2 stated herein above, is likewise prohibited.

3 ARTICLE XIII

4 ACCIDENTS

5 SEC. 62. *Accidents Involving Death or Personal Injuries or Damage to a*
6 *Vehicle.* – The driver of any vehicle involved in an accident resulting in injury or
7 death of any person or damage to another vehicle which is driven or attended by any
8 person, shall immediately stop such vehicle at the scene of the accident and shall
9 remain at the scene of such accident until the requirements of Section 63 of this Act
10 are complied with. Every step must be taken to ensure that such stop is made
11 without obstructing traffic.

12 SEC. 63. *Duty to Give Information and Render Aid.* – The driver of any
13 vehicle involved in an accident resulting in injury to or death of any person or
14 damage to any vehicle or other property shall, upon request, exhibit the driver's
15 license to the person struck, or to the driver or occupant of, or person attending the
16 vehicle collided with including the plate number of the vehicle, and shall render
17 reasonable assistance to any person injured in such accident.

18 SEC. 64. *Duty Upon Striking Unattended Vehicle.* – The driver of any
19 vehicle that collides with any unattended vehicle shall immediately stop and locate
20 or notify the driver, operator or owner of such vehicle, or shall leave, in a
21 conspicuous place in the vehicle struck, a written notice giving the name and address

1 of the driver or the owner of the vehicle which caused the collision, together with the
2 license plate number of the vehicle and a statement of the circumstances thereof.

3 SEC. 65. *Duty Upon Striking Fixtures on a Road.* – The driver of any
4 vehicle involved in an accident resulting only in damage to fixtures adjacent to a
5 road must take reasonable steps to locate and notify the person in-charge of such
6 property and give the driver's license indicating the name and address, and the plate
7 number of the vehicle. The driver shall report such accident as required by this Act.

8 SEC. 66. *Report of Accidents.* – The driver of any vehicle involved in an
9 accident resulting in injury or death of any person shall:

10 a) Immediately, by the quickest means of communication, give notice of
11 such to the police department or local traffic authority.

12 b) The driver of any vehicle involved in property damage, shall make an
13 agreement to the persons whose property is involved as to amount of property
14 damage sustained; *Provided*, That if no agreement is reached between the parties,
15 the accident shall be reported immediately to the police department.

16 c) Every law enforcement officer who, in the regular course of duty
17 investigates a motor vehicle accident of which report must be made as provided
18 herein, either at the time of and at the scene of the accident or thereafter by
19 interviewing participants or witnesses, shall, within 24 hours after completing such
20 investigation, forward a written report of such accident to the appropriate traffic
21 management office of the city or municipality having jurisdiction of the accident.

1 SEC. 67. *Accident Report Forms.* – All cities and municipalities shall,
2 through their appropriate traffic management office, prepare and, upon request,
3 supply to agencies concerned forms for accident reports required hereunder. The
4 written reports executed by the person involved in an accident and by the
5 investigating officer shall provide sufficient or detailed information with reference to
6 such accident, the cause and existing condition of the person and vehicle involved.

7 Every accident report shall be made on the appropriate form prescribed by the
8 traffic police department in coordination with national agencies. The report must
9 contain all the information required in the form, unless not available.

10 SEC. 68. *Garage to Report.* – The person in charge of any garage or repair
11 shop of which a motor vehicle brought showed evidence of having been involved in
12 an accident or struck by any bullet, shall report to the police department within
13 twenty-four (24) hours after such motor vehicle is received, giving the engine
14 number, plate number, the name and address of the owner or driver of such vehicle,
15 and a description of the suspicious or unusual circumstances.

16 SEC. 69. *Accident Reports Confidential.* – The accident report executed
17 by a person involved in an accident, or by a garage or repair shop shall be for the
18 confidential use of the police department or the LGU. The police department may
19 disclose the identity of a person involved in an accident when such identity is not
20 otherwise known or when such person denies the presence at such accident. No such
21 report shall be used as evidence in any trial, civil or criminal arising out of an
22 accident except that the police department shall or upon demand of any Court, issue

1 a certificate showing that a specified accident report has or has been made to the
2 police department solely to prove a compliance or a failure to comply with the
3 requirement that such a report be made to the police department.

4 SEC. 70. *When Driver Unable to Report.* – An accident report is not
5 required under this Article from any person who is physically incapable of making
6 report during the period of such incapacity. In case there is another occupant in the
7 vehicle at the time of the accident capable of doing so, such occupant shall make a
8 report not made by the driver. If the driver is not the owner of the vehicle, the owner
9 of the vehicle involved in such accident shall, within five (5) days after learning of
10 the accident, make such report not made by the driver.

11 SEC. 71. *Responsibility to Tabulate and Analyze Accident Reports.* –
12 Without infringing on the authority of the police, the traffic management office or its
13 appropriate unit shall tabulate and analyze all accident reports and shall publish
14 annually the statistical information based on the number and circumstances of traffic
15 accidents.

16 SEC. 72. *Copies of Reports to be Furnished the Office of the Local*
17 *Police and Office of the Mayor.* – The head of the traffic management office shall
18 furnish true copies of all accident reports within forty-eight (48) hours from the
19 filing thereof, to the local police and the office of the mayor.

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ARTICLE XIV

OPERATION OF ANIMAL-DRAWN CARRIAGES, PEDICABS, BICYCLES AND TRICYCLES

SEC. 73. *Effect of Regulations.* – All cities and municipalities, through an ordinance, may regulate animal-drawn carriages, pedicabs, bicycles or tricycles whenever the animal-drawn carriages, pedicabs, bicycles or tricycles are operated upon any road or upon any path set aside for the exclusive use of such carriages, pedicabs, bicycles or tricycles.

SEC. 74. *Purpose and Scope.* – To establish a uniform, orderly and effective system of franchising, regulating and monitoring all animal-drawn carriages, pedicabs, bicycles and tricycles being operated for hire, all animal-drawn carriages, pedicabs, bicycles and tricycles shall be registered with the traffic management office for issuance of license plates and upon payment of a minimal fee as prescribed by the city or municipality concerned. No person shall operate, ride or propel an animal-drawn carriage, pedicab, bicycle or tricycle on any street, highway, alley, roadway and sidewalk or upon any public path set aside for their exclusive use unless such has been issued a license.

SEC. 75. *Traffic Laws Applicable to Persons Riding an Animal-drawn Vehicle, Pedicab, Bicycle or Tricycle.* – The provisions of this Act and any ordinance granting right to and imposing duties upon a driver of a vehicle shall apply to every person operating an animal-drawn carriage, pedicab, bicycle or

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

BICYCLES

SEC. 76. *Riding Bicycles.* — In the absence of a city or municipal ordinance regulating the use of bicycle, the following rules apply:

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

b) No bicycle shall be used to carry at one time more persons than the number for which it is designed and equipped.

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

d) Whenever a bicycle lane is provided, the rider of a bicycle shall use that bicycle lane.

e) No person shall ride a bicycle within two (2) meters of the rear of a motor vehicle.

f) No bicycles shall be driven on national roads and highways at all times.

SEC. 77. *Towing of Bicycles.* — Any person riding a bicycle is prohibited from attaching or permitting to be drawn by any vehicle. The driver of a vehicle shall not permit a person riding a bicycle to attach to or be drawn by the vehicle.

SEC. 78. *Riding More Than Two Abreast.* — Except on a bicycle lane where such is permitted by signs or other means, no person shall ride a bicycle so that it is traveling abreast of more than one bicycle. This section shall not operate to

1 prevent a cyclist from overtaking and passing other persons riding bicycle abreast. A
2 bicycle shall be deemed to be abreast of another bicycle if any part of it is by the
3 side of any part of the other.

4 **PEDICABS**

5 **SEC. 79. *Compulsory Registration of Pedicabs for Hire.*** – All pedicabs
6 for hire being used or operated on or upon any public road, street, park, alley, and
7 “callejon” including roadways upon grounds owned by private persons, schools,
8 colleges, universities or other similar institutions must be registered with the office
9 of the mayor. In the absence of an ordinance regulating them, pedicabs must comply
10 with the following minimum requirements:

11 1) All applications for registration shall be in writing and accompanied by
12 appropriate proofs of ownership over the pedicab sought to be registered;

13 2) The unit sought to be registered after inspection is found to be duly
14 equipped with appropriate warning signs or other devices that are clearly visible to
15 the naked eye during nighttime;

16 3) No permit shall be issued to an applicant to operate or drive a pedicab
17 for hire unless the applicant is seventeen (17) years of age or older and physically fit
18 to operate or drive a pedicab; and

19 4) Any person operating or driving a pedicab for hire shall also secure a
20 permit from the office of the mayor upon payment of a minimal fee as may be
21 prescribed by the city or municipality.

- a) The applicant driver or operator is a bona fide resident of the city or municipality;
- b) The applicant possessed the unit or units sought to be operated;
- c) The unit or units sought to be registered must be road-worthy;
- d) The unit or units sought to be registered must have a two-seater sidecar only unless the city or municipality, in an appropriate ordinance, allows the increase of seating capacity;
- e) A business clearance certificate is secured from the punong barangay having jurisdiction over the area used as terminal or point of origin of the tricycle;
- f) A silencer is installed in the exhaust system of the tricycle to reduce the noise emission;
- g) A garbage receptacle is installed inside the tricycle;
- h) The unit or units are duly registered with the LTO; and
- i) Applicant has secured an insurance coverage for any liability against passengers and third parties in case of accident.

SEC. 84. **Validity of MTOP.** – Unless provided in an ordinance, the permit shall be valid only up to December 31 of the year it was issued and must be renewed every year thereafter not later than January 31 of the following year.

SEC. 85. **Registration Fees.** – An applicant for an MTOP shall pay the fees prescribed by the city or municipality. The license plate for motorized tricycle-for-hire shall be paid and released only upon approval of its franchise. The license plate may be used for a period of three (3) years and replaceable thereafter, but shall

1 be renewed yearly with a sticker bearing the current year of issuance to be attached
2 to the license plate.

3 SEC. 86. *Tricycle Franchising Board.*

4 a. *Creation and composition.* – The Tricycle Franchising Board (TFB) in
5 every city and municipality pursuant to paragraph 3, sub-section VI, Section 458 of
6 Republic Act (RA) No. 7160, also known as the “*Local Government Code*” shall
7 continue to be organized in accordance with the rules of procedures adopted by the
8 city or municipality.

9 b. *Functions.* – The Tricycle Franchising Board shall exercise the
10 following functions:

11 i) To accept, screen, evaluate and recommend to the sangguniang bayan
12 or sangguniang panglungsod the grant of franchise to qualified tricycle owners or
13 operators including the determination of the optimum number of tricycle units that
14 shall be allowed to operate in any designated tricycle zone;

15 ii) To conduct studies on the demands for motorized tricycle-for-hire
16 service on a particular zone and submit copies of the same to the sangguniang bayan
17 or sangguniang panglungsod for its consideration;

18 iii) To identify motorized tricycle-for-hire terminals or zone in consultation
19 with the concerned tricycle operator and drivers association, the federation of
20 tricycle operators and drivers associations, the barangay officials of the areas
21 affected and the public, taking into consideration existing traffic laws and ordinances
22 and the public’s safety and convenience.

c. *Secretariat support staff.* – The secretary of the sangguniang bayan or sangguniang panglungsod shall provide the secretariat support and assistance to the Tricycle Franchising Board.

SEC. 87. *Creation of Tricycle Regulation Office.* – All cities and municipalities shall create a tricycle regulation office (TRO) which is a division attached to the office of the mayor and under the supervision of the municipal or city administrator whose functions are as follows:

a) To process application for MTOP prior to its submission, with proper recommendation, to the office of the mayor for appropriate action: *Provided, That* the certificate of public convenience (CPC) must be secured first;

b) To process all applications for CPC and forward the same, together with all the requirements for its issuance, to the TFB for appropriate action; and

c) To strictly implement and enforce the provisions of this Act and other laws and ordinances relative to the operation of motorized tricycles.

The TRO is composed of the following staff: one (1) division chief, one (1) deputy division chief, six (6) enforcers, two (2) clerks and two (2) encoders. In case of highly urbanized cities, independent component cities, component cities, or municipalities with large population, the mayor may increase the number of personnel commensurate with the need of their city or municipality.

SEC. 88. *Certificate of Public Convenience.* – All motorized tricycle-for-hire before it operates, shall first secure a CPC from the sangguniang bayan or sangguniang panglungsod through the TFB. The CPC shall be valid for a period of

three (3) years counted from the date of issuance and renewable for the same period upon previous application on or before the expiration of the period sought to be extended. The CPC shall be issued subject to the following conditions:

a) The applicant is a Filipino citizen;

b) The tricycle operates like a taxicab service that is upon demand and without a fixed route and only within the tricycle zone designated in the franchise; and

c) The tricycle is not operated on national highways, principal roads or streets and such other roads or streets as may be determined by the TRB.

An operator who stops service completely automatically terminates and cancels the franchise. The operator may dispose of the unit or units by sale, thereafter informing the TFB. Transfer to another zone or zones may be allowed upon application for another franchise and subject to availability of franchise;

No franchise or CPC may be issued unless the following physical requirements are complied with:

i. clean windshield (no obstructing sticker)

ii. functioning horn

iii. headlights are set on one-half hour before sunrise and at least one-half hour before sunset

iv. two (2) signal lights (front and back) for turning right or left or for emergency purposes

v. tail light with functioning stop light

vi. top chain cover extending to the rear wheel

Other restrictions may be imposed by the city or municipality as a condition of the CPC.

SEC. 89. *Prohibited Acts.* –

a. It is unlawful for drivers of motorized tricycle-for-hire:

i. To carry more passengers or goods than what the tricycle is designed for;

ii. To collect more than the prescribed fare rate which is posted in a conspicuous place inside the sidecar of the tricycle unit;

iii. To refuse to convey passengers to their destination within their designated route or area of operation; and

iv. To operate without a professional driver's license issued by the LTO.

b. It is unlawful for traffic or law enforcers and persons duly authorized to enforce traffic laws to impound tricycle apprehended for any traffic violation except when it is involved in any traffic or vehicular accident, accident resulting to serious physical injuries or homicide, or it is used in illicit or criminal activities or except when the apprehended tricycle is operating as colorum or illegal unit.

SEC. 90. *Certificate of Public Convenience, Fees.* – An applicant for a CPC shall pay the fees prescribed by the TFB.

SEC. 91. *Fare Rate.* – The fare prescribed by the TFB shall be charged per passenger per trip. All students, disabled persons and senior citizens will be charged the discounted fare upon presentation of identification card.

1 until the other vehicle has passed. No person shall drive a motor vehicle without the
2 required headlights that are capable of being operated on low beam.

3 SEC. 95. *Lights on Stationary Motor Vehicles.* –

4 a) Subject to the provisions of Section 101 of this Act, no person shall
5 leave a motor vehicle waiting on a road with a lamp of a power exceeding seven
6 watts lighted and showing to the front, except while the vehicle is loading or
7 unloading passengers or is compelled to remain stationary by the exigencies of
8 traffic.

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

12 i. Two (2) lamps (one on each side) showing a clear white light to the front
13 and clearly visible under normal atmospheric conditions at a distance 180 meters, or
14 where the motor vehicle or trailer is waiting on or adjacent to the boundary of the
15 thoroughfare, one such lamp shall be on the side of the motor vehicle or trailer near
16 to the center of the thoroughfare; and

17 ii. Appropriate rear lamps, number-plate lamps, front and rear clearance lamps
18 and reflectors prescribed as mandatory by the LTO and the lamps so affixed are
19 lighted.

20 c) Paragraph (b) of this section shall not apply:

21 i. Where the street lighting in the vicinity renders the motor vehicle or the
22 trailer clearly visible at a distance of 180 meters; or

1 ii. To any motorcycle not connected to a sidecar, trailer left waiting parallel to
2 and as near as practicable to the boundary of the thoroughfare.

3 SEC. 96. *Portable Warning Signs for Disabled Vehicles.* –

4 a) No person shall drive a vehicle on a road, or permit a vehicle to be
5 driven, unless that vehicle carries a portable early warning device complying with
6 the specifications prescribed by the LTO.

7 b) Whenever a disabled vehicle is stationary on a thoroughfare, the
8 portable early warning devices shall be placed one to the rear of the vehicle and one
9 to the front side nearer to the center of the thoroughfare at a distance prescribed by
10 the LTO to give reasonable warning to approaching drivers.

11 c) Nothing in this section shall affect any duty imposed by this Act to
12 display lighted lamps on stationary vehicles.

13 SEC. 97. *Lights and Other Equipment on Bicycles.* –

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

16 i. A lighted lamp showing a clear white light to the front;

17 ii. A lighted lamp showing a clear red light to the rear;

18 iii. A red reflector on its rear; and

19 iv. A rear mudguard, the rear half of which is colored white.

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

22 c) No person shall ride a bicycle unless it is equipped with:

1 i. An efficient brake; and

2 ii. An efficient bell or some other suitable warning device.

3 SEC. 98. *Lights on Animal-Drawn Vehicles.* –

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

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

10 SEC. 99. *Lights on Towed Vehicles.* – No person shall, between sunset
11 and sunrise, drive a motor vehicle which is towing another vehicle unless a lighted
12 lamp is attached to the portion of the towed vehicle facing any following vehicle,
13 with a power not exceeding seven (7) watts showing a clear red light visible under
14 normal atmosphere conditions at a distance of 100 meters which lamp is so placed
15 that:

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

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

19 SEC. 100. *Flashing Warning Lights.* –

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

i. A lamp displaying intermittent red or blue flashes on top of an emergency vehicle;

ii. A lamp displaying intermittent amber flashes on top of a tow truck or motor breakdown service vehicle at the scene of an accident or breakdown or vehicle being used by a government, public or local authority in connection with its functions and occupying a hazardous position on the thoroughfare.

b) A motor vehicle moving or stationary in a hazardous position on a thoroughfare because of an emergency situation, shall display such flashes from both sides of the front and rear of the vehicle by means of a flashing lamp signaling devices or early warning device in accordance with the specifications of the LTO.

SEC. 101. *Spot Lamps.* –

a) No person shall cause or permit any spot lamp or search lamp offered or connected to any vehicle to be lighted unless:

i. The vehicle is stationary and the lamp is used only for the purpose of reading a road sign;

ii. The vehicle is outside a built-up area and the lamp is lighted and use only for the purpose of reading a road sign.

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

SEC. 102. *Mufflers and Noise Controlling Devices.* – No person shall operate a motor vehicle on a street unless such motor vehicle is equipped, at all

times, with a muffler or mufflers in constant operation and of sufficient capacity for the motor, and equipped with an exhaust system to prevent the escape of excessive fumes or smoke and unusual noise.

Owners or operators of motor vehicles shall ensure that their vehicle comply with the exhaust emission standards set forth in RA 8749, otherwise known as the "*Philippine Clean Air Act of 1999*," and its implementing rules and regulations.

SEC. 103. *Silent Zone for Schools, Colleges, Churches and Hospitals.* –

Two (2) blocks from where a school, college or university, church or hospital is located is hereby declared a "silent zone." All cities and municipalities are directed to post sufficient official signs containing the prohibition in appropriate places in said locations.

SEC. 104. *Windshields to be Unobstructed and Equipped with Wipers.* –

a) No person shall drive any motor vehicle with any sign, poster, or other non-transparent material upon the front windshield of such vehicle which obstructs the driver's clear view of the highway.

b) Posters or stickers approved by the proper authority shall be placed at the lower right hand corner of the front windshield.

c) No person shall drive any motor vehicle with any non-transparent material or object suspended within the windshield area as viewed from the driver's seat nor shall any person drive any motor vehicle upon the hood of which is attached any ornament which vibrates or swings within view of the driver of said vehicle.

d) The windshields of every motor vehicle shall be equipped with a wiper for cleaning rain or other moisture from the windshield and shall be maintained in good working order.

ARTICLE XVI

WEIGHT, SIZE AND LOAD

SEC. 105. *Gross Weight, Axle and Wheel Loads.* – No motor vehicle or trailer or combination of such vehicles equipped wholly with pneumatic tires, which has a total gross weight, including vehicle and load, in excess of the requirements prescribed in the matrix of fines and penalties for traffic and administrative violations of the LTO, shall be operated or moved upon any public road, street or highway.

SEC. 106. *Projecting Loads on Vehicles.* – No vehicle shall be operated on any road with a load thereon projecting beyond the extreme width of the vehicle regardless of the nature of the property being transported.

SEC. 107. *Load to be Properly Secured.* — No vehicle shall be driven or moved on any road:

a) Unless such vehicle is so constructed or loaded as to prevent any of its load from dropping, shifting, leaking or otherwise escaping therefrom, except that sand may be dropped for the purpose of traction or water or other substance may be sprinkled on a roadway in cleaning or maintaining the roadway;

b) With any load consisting partially or entirely of loose paper, empty cartons, crates, or any other material susceptible of being blown or carried by the

wind, unless such load is entirely covered by tarpaulin, net, canopy, or other suitable material, effectively preventing any part of such load from being blown or carried by the wind.

SEC. 108. *Traffic Officers may Weigh Vehicles and Require Removal of Excess Loads.* –

a) Any traffic officer, who has a reason to believe that the weight of a vehicle and load is unlawful, is authorized to require the driver to stop and submit to weighing by means of a portable or stationary scales and may require that vehicle be driven to the nearest public scales in case such scales are within two (2) kilometers.

b) Whenever a traffic officer, upon weighing a vehicle and load as above provided, determines that the weight is unlawful, the officer may require the driver to stop the vehicle in a suitable place and remain standing until the portion of the load is removed as may be necessary to reduce the gross weight of the vehicle to such limit as permitted. All material so unloaded shall be the responsibility of the driver and owner of the vehicle.

c) Any driver of a vehicle who refuses to stop and submit the vehicle and load to a weighing when directed by an officer shall be liable to fine in accordance with Section 56 of RA 4138 in relation to Section 150 of this Act.

SEC. 109. *Restricting the Use Over Bridges.* –

a) No person shall drive or operate any motor vehicle having an aggregate weight of a vehicle and load in excess of the specified allowable weight indicated over any bridge.

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

3 SEC. 110. *Permit to Move Equipment or Load of Excessive Weight, Width*
4 *or Height.* —

5 a) No vehicle having an equipment or load of excessive weight, width or
6 height shall be moved, transported, or caused to be moved unless a permit or
7 clearance is issued by a duly authorized officer of the TMO of the city or
8 municipality where the vehicle originates. The driver of the vehicle shall notify and
9 coordinate with all other cities and municipalities where the vehicle traverses.

10 b) All application for permits required under this section shall be made in
11 writing to the TMO of the concerned city or municipality and shall contain the
12 following:

13 i. Description of the vehicle, equipment or load to be moved;

14 ii. Street location or other identifying description of the place to which the
15 same is to be moved;

16 iii. Complete designation of the route to be followed;

17 iv. Height, width and length of the vehicle;

18 v. Time at which the movement of the vehicle commences and terminates;

19 vi. A comprehensive automobile liability insurance policy in case of injury or
20 death, or damage to or destruction of property.

c) To prevent traffic congestion, the head of the TMO of the city or municipality may, prior to the issuance of a permit, change and designate another route to be followed or the time during which the movement shall be made.

ARTICLE XVII

TRUCK BANS AND PUBLIC TRANSPORT ROUTES

SEC. 111. *Truck Routes and Limited Truck Ban.* – Cargo, gravel and sand trucks, or other heavy cargo trucks with eight wheels and up, or the gross weight of which exceed 4,500 kilograms, including tractor trailers or containerized haulers may be regulated by restricting their access to major thoroughfares during rush hour and, if practicable, provide an alternate route in order to ensure orderly traffic flow.

SEC. 112. *Routes of Public Utility Buses and Jeepneys.* – Public utility buses and jeepneys, including mega-taxis and shuttle vans with valid authorizations from the Land Transportation Franchising and Regulatory Board shall furnish the TMO of the city or municipality concerned a copy of their approved routes. Subject transport groups shall adhere to their approved routes.

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

SEC. 113. *Vehicles for Hire with No Fixed Routes.* — Public land based transport conveyances with franchises to operate “vehicles for hire” with no specific routes such as sedans, Asian utility vehicles, mega taxis, pick-up vans, station

wagons or coaches or vehicles which provide service on a contractual basis, are prohibited to charge fare in excess of what is authorized by the Land Transportation Franchising and Regulatory Board.

SEC. 114. *Tricycles and Pedicabs.* – The regulation of tricycles and pedicabs in so far as application for and granting of permit to operate as a public transport for hire shall be governed by Article XIV of this Act.

However, in the granting or revision of routes or areas of operations, the recommendation of the TMO of each city or municipality shall be given consideration to ensure safety and minimize traffic impact. In no case shall tricycles and pedicabs be permitted to run along national roads with heavy traffic, or operate along bus or jeepney routes. In the absence of off-street tricycle terminals or stations, the number of tricycles operating or to be operated may be restricted or curtailed on a thoroughfare to minimize traffic congestion. In such a situation, no additional franchise shall be issued.

ARTICLE XVIII

DUTIES AND RESPONSIBILITIES WHILE OPERATING A MOTOR VEHICLE

SEC. 115. *License, Motor Vehicle Registration and Other Requirements.* –

a) Only persons with license duly issued by the LTO shall be allowed to drive any motor vehicle.

b) License restrictions must correspond to the type of motor vehicle being driven.

1 c) The driver's license must, at all times, be with or in actual possession of
2 the licensee while driving or operating a motor vehicle. It must be shown or
3 surrendered to traffic enforcers when demanded.

4 d) Only vehicles with proper registration shall be allowed to ply the
5 streets. The motor vehicle's body number, engine number and color must
6 correspond with the description in the official receipt or certificate of registration. A
7 copy of the official receipt and certificate of registration must be carried in the
8 vehicle and must be shown to traffic enforcers when demanded.

9 e) Driving in sleeveless shirt or slippers, or while using mobile phones or
10 similar device in accordance with Republic Act No. 10913, otherwise known as the
11 *Anti-Distracted Driving Act*, and other acts that tend to disrupt the concentration of
12 the driver while driving is not allowed.

13 SEC. 116. *Student Driver Permit.* – No person possessing a student driver's
14 permit shall operate a motor vehicle unless accompanied by a duly licensed
15 professional driver.

16 The licensed professional driver acting as instructor to the student driver shall
17 likewise be responsible and liable for any violation of the provisions of this Act or
18 for any injury or damage caused by the motor vehicle on account of or as a result of
19 its operation by a student driver.

20 SEC. 117. *Use, Posting or Display of Fake or Unauthorized Identification*
21 *Cards, Stickers, etc.* –

1 a) Only valid and regularly issued IDs, plates, stickers and tags shall be
2 allowed to be displayed or posted on a properly designated part of the motor
3 vehicles.

4 b) Use, posting or display of fake identification cards, plates, stickers,
5 particularly those with reference to law enforcement agencies, including tampered,
6 marked, unauthorized and improvised plates, are strictly prohibited.

7 c) Inconspicuous or improper display and transfer of plates, and posting of
8 tags and stickers are likewise prohibited.

9 d) Protocol plates issued to government officials shall be used only to the
10 vehicles registered with such officials. The registered plate number of the official
11 shall be stenciled at the upper right hand corner of the protocol plate sufficient in
12 size to be visible when flagged by law enforcers. No protocol plates except for the
13 President of the Philippines, the Senate President, the Speaker of the House of
14 Representatives and the Chief Justice of the Supreme Court shall be issued by the
15 LTO upon the effectivity of this Act.

16 SEC. 118. *Clearance Required for Change Color or Engine of Motor*
17 *Vehicles.* – Any person who shall undertake to change the color or engine of a motor
18 vehicle shall first secure a certificate of clearance from the Philippine National
19 Police. No such clearance shall be issued unless the applicant presents a statement
20 under oath containing the type, make and serial numbers of the engine, chassis and
21 body of the motor vehicle.

22 SEC. 119. *Road Worthiness of Motor Vehicle.* –

1 d) When plying its route, a PUV should carry with it the copy of the
2 franchise or CPC for presentation to traffic enforcers when demanded for
3 verification.

4 e) PUVs shall comply with the color coding, vehicle volume reduction
5 program and similar vehicle volume mitigation programs being implemented within
6 their routes.

7 f) Fare matrix must be conspicuously displayed in the vehicle.

8 g) Public transportation shall have designated seats for disabled persons:

9 i. Regular buses shall have at least five designated seats for disabled persons
10 near the entrance or exit doors;

11 ii. First class, premier, and air-conditioned buses shall have at least four
12 designated seats for disabled persons near the entrance or exit door;

13 iii. For regular and air-conditioned buses, other passengers may use these
14 designated seats if not occupied and yield them to incoming disabled persons
15 whenever the occasion arises;

16 iv. Jeepneys shall have at least two seats, preferably the front seats as
17 designated seats for disabled persons;

18 v. For jeepneys, other passengers may use these designated seats if not
19 occupied and yield them to incoming disabled passengers only if the yielding
20 passenger may still be accommodated at the back.

21 The designated seats shall be identified by symbols and signs.

1 h) Drivers of PUVs, including tricycles and pedicabs, are required to post
2 their identification (ID) card, with 2 x 2 picture, containing the names of the owner
3 or operator and the driver, and their respective addresses. The ID must be placed on
4 the front portion of the windshield of the vehicle.

5 SEC. 121. *Terminal Fees and Permits.* – All terminals of PUVs, whether
6 privately or publicly-owned, shall apply for a terminal permit and pay the prescribed
7 annual fee with the TMO of the city or municipality concerned. After inspection of
8 the terminal and completion of all requirements, a permit shall be issued in favor of
9 the owner or president of the association.

10 SEC. 122. *Accessories of PUVs.* –

11 a) In addition to the requirements in Section 119 hereof, taxi must be
12 equipped with light on the taxi meter, light on top of taxi unit, clean seat covers, and
13 interior lights.

14 b) The unauthorized installation or use of jalousies, additional air-con, dim
15 colored lights and dark glass tints are not allowed.

16 SEC. 123. *PUV Driver's Obligations, Duties, and Responsibilities.* –

17 a) Drivers of PUVs, including conductors, must be duly licensed. They
18 must be in proper uniforms and, at all times, extend courtesy to fellow drivers and
19 passengers.

20 b) Drivers of PUVs shall not give preference, unjustly discriminate or
21 refuse conveyance for reason of religion, color, race or creed, lowly station in life or

1 other physical characteristics that may tend to put such passenger in isolation. They
2 shall transport their passengers to their destination. No trip cutting is allowed.

3 c) Drivers of PUVs shall not allow overloading, overcharging of fares nor
4 contract out (*arkila*) services in violation of the franchise.

5 d) Drivers of PUVs shall not operate taxi without meter or with un-
6 calibrated or tampered taximeter seal or broken sealing wire.

7 ARTICLE XX

8 PEDESTRIAN RIGHTS AND DUTIES

9 SEC. 124. *Pedestrian Crossing.* –

10 a) A driver approaching a pedestrian crossing shall travel at such a speed
11 that, if necessary to comply, be able to stop the vehicle before reaching the
12 pedestrian crossing.

13 b) A driver shall give way to any pedestrian who is on a pedestrian
14 crossing.

15 c) A driver shall not permit any portion of the vehicle to enter upon a
16 pedestrian crossing even if any vehicle headed in the same direction is stopped on
17 the approach side of, or upon the pedestrian crossing.

18 SEC. 125. *Duties of Pedestrians.* –

19 a) When on a footway, marked cross-walk, or crossing, a pedestrian shall
20 keep as close as practicable to the right side of the footway;

21 b) When crossing a thoroughfare at an intersection, a pedestrian shall keep
22 the right of pedestrian crossing in the opposite direction; and

1 c) When crossing a thoroughfare or portion of a thoroughfare, a pedestrian
2 shall do so promptly by shortest and most direct route, as may be practicable, to the
3 thoroughfare boundary.

4 SEC. 126. *Restrictions on Pedestrians.* – A pedestrian shall not:

5 a) Stand on any portion of thoroughfare while waiting for a vehicle;

6 b) Proceed from a footway towards a vehicle that has not fully stopped for
7 the purpose of boarding it;

8 c) Alight from or board a moving vehicle, or do so at an area where
9 loading and unloading is prohibited;

10 d) Remain on a pedestrian crossing, or marked cross-walk longer than is
11 necessary for the purpose of passing over the thoroughfare with reasonable dispatch;
12 and

13 e) Stand up on a footway thoroughfare so as to inconvenience, obstruct,
14 hinder or prevent the free passage of any other pedestrian or any vehicle.

15 SEC. 127. *Pedestrians on Thoroughfare.* – Except when there is a sidewalk
16 or footway:

17 a) A pedestrian proceeding along a thoroughfare shall, when practicable,
18 travel on the thoroughfare or side of the thoroughfare used by vehicles traveling in
19 the opposite direction, and shall keep close to the boundary of the thoroughfare on
20 the left.

1 SEC. 131. *Tracking Mud, Cement or Debris unto the Road.* – No vehicle

2 using the public road shall track mud, cement or debris in such quantities which
3 constitute hazard to the roadway or obscure the painted pavement markings thereon.

4 In the event that mud, cement or debris, is unavoidably tracked unto the road, it is
5 the duty of the owner of the offending vehicle to have the mud or spillage removed
6 as quickly as possible.

7 SEC. 132. *Driving Through Funeral or Other Processions.* –

8 a) No person shall drive a vehicle between the vehicles comprising a
9 funeral or other authorized procession while they are in motion. When the lead car of
10 any funeral or other procession enters any intersection, notwithstanding the light
11 conditions at those intersections controlled by signal devices, then all other traffic
12 shall yield the-right-of-way to all vehicles comprising the funeral or other procession
13 until it passes through the intersection. The foregoing provisions apply only to the
14 funeral or other procession moving under police escort.

15 b) No funeral, procession, assembly or parade containing two hundred or
16 more persons or fifty or more vehicles, excepting the Armed Forces of the
17 Philippines and the forces of the police and fire departments, shall occupy, march or
18 proceed along any street except in accordance with a permit issued by the TMO of
19 the city or municipality where the funeral, procession, assembly or parade is being
20 held.

21 c) A funeral procession composed of any number of vehicles shall be
22 identified as such by the conspicuous display on the top center of each vehicle a

1 banner sufficient in size and form to be identified by approaching vehicles. While in
2 the procession, each driver shall turn on the headlamps of their vehicles as additional
3 identification.

4 SEC. 133. *Driving Schools, Private Professional Drivers, Instructors and*
5 *Student Drivers.* – All cities and municipalities may regulate the use of main
6 thoroughfares during peak hours for driving schools, private professional drivers,
7 instructors and student drivers and may impose appropriate liabilities on the
8 instructor and the driving school for its violation. All driving schools are mandated
9 to install lighted box or roof light on top of their vehicles, in addition to the signage
10 or board, indicating that the vehicle is used by a student driver.

11 SEC. 134. *Restricting Animals and Livestock on Roads.* –

12 a) No person owning, controlling or having the possession of any
13 livestock or animals such as cattle, horses, swine, goats or any other domesticated
14 animals shall negligently permit any such livestock or animals to stray upon or
15 remain unaccompanied by a person-in-charge or control thereof, upon any road.

16 b) No person shall drive or lead any such livestock upon, or across any
17 street or road, without keeping a sufficient number of herders on continual duty to
18 open the road so as to permit the passage of vehicles.

19 SEC. 135. *Safety Helmets for Motor Cyclists.* –

20 a) A person shall not drive or ride upon a motorcycle unless that person is
21 wearing a safety helmet securely fastened under the chin.

1 b) A safety helmet referred to in paragraph (a) herein must comply with
2 the standard set by the proper authority.

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

6 SEC. 136. *Production of Driver's License to Traffic Officer.* – No person
7 shall drive a motor vehicle on the road unless equipped with a valid driver's license
8 issued by the LTO for that type of vehicle.

9 a) Any person who drives a vehicle on the road shall bring a driver's
10 license at all times.

11 b) All persons driving a motor vehicle on the road shall, when requested to
12 do so by a member of the traffic force or any other authorized person, produce their
13 driver's license for inspection.

14 c) In this section, "authorized person" means a person in uniform
15 authorized by or under any Act to require a driver of a motor vehicle on a road to
16 produce the person's driver's license.

17 d) A bona fide tourist or transient who is holding an international license
18 may be permitted to operate a motor vehicle for the period not exceeding the expiry
19 date of said license, or in accordance with international agreements to which the
20 Philippines is a signatory.

21 e) A person who knowingly drives a motor vehicle without having secured
22 the appropriate license, or with a student permit but without the accompanying

1 professional driver or with an expired driver's license, shall be punished in
2 accordance with the rules and regulations of the LTO.

3 SEC. 137. *Opening Doors and Alighting from Vehicles.* – A person shall
4 not open or leave open a door of a vehicle or alight from a vehicle unto a
5 thoroughfare, so as to cause danger to other person using the road or impede passage
6 of traffic.

7 SEC. 138. *Use of Horns or Any Warning Instrument.* – No person shall
8 use or cause to be used the horn or any other warning instrument on a vehicle,
9 except when necessary as a traffic warning or as indication that the driver of the
10 vehicle intends to overtake another vehicle.

11 SEC. 139. *Use of Seatbelts.* – A driver of any motor vehicle, as well as
12 passengers occupying the front seats and other specified locations, must wear a
13 seatbelt as provided for under RA 8750, otherwise known as the "*Seatbelts Use Act*
14 *of 1999*," and the implementing rules and regulations issued by the LTO.

15 SEC. 140. *Obstructing Roads.* –

16 a) A person shall not, without the written permission of the TMO, drive or
17 leave standing any vehicle on a road for the purpose of:

- 18 i. Soliciting employment or business from the vehicle;
19 ii. Displaying an advertisement on the vehicle; or
20 iii. Offering foods for sale from the vehicle.

21 b) A person shall not stand on a road for the purpose of:

- 22 i. Soliciting contributions;

1 ii. Display any advertisement; or

2 iii. Offering goods for sale.

3 c) A person in vehicle shall not buy or offer to buy an article from any
4 person standing on a road.

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

10 e) The prohibition contained herein shall also apply to the use of
11 sidewalks by vendors, repair shops or any establishments.

12 f) Stalled vehicles on thoroughfares shall be construed as obstructing
13 traffic if not removed or towed within ten (10) minutes.

14 SEC. 141. *Diggings and Excavations on Existing Roads.*—

15 a) It is unlawful for any person or entities, whether on their own or as
16 contractors to any government agency, local or national, to excavate or dig for the
17 purpose of installing water pipes, telecommunication lines, poles, drainage pipes,
18 and other underground facilities, within roads, streets, thoroughfares and alleys
19 without first securing an excavation permit from the TMO except in cases of
20 emergency, in which case the permit must be secured within three (3) working days
21 from excavation.

1 b) The application for temporary closure of a road, national or local, or
2 any part thereof due to diggings or excavations shall be evaluated first by the TMO
3 of the city or municipality concerned so that the timetable, remedial steps, and other
4 precautions may be undertaken to minimize adverse effect on traffic flow.

5 c) Excavators or diggers must at all times put up road signs for
6 precautionary measures to motorists and pedestrians. All areas dug or excavated
7 must be properly restored to its original form under the standard specification for
8 road construction. To ensure restoration, the party undertaking the digging or
9 excavation shall post a bond equivalent to one-hundred-fifty (150%) *per centum* of
10 the cost to restore the same the amount to be determined by the municipal or city
11 engineer. The bond shall be forfeited in favor of the city or municipality if
12 restoration work is not commenced within ten (10) days of completion of the
13 excavation and to be completed within the same number of days for which the
14 excavation had been authorized. Deposit shall be released within five days after
15 determination by the municipal or city engineer that the road is restored
16 satisfactorily.

17 SEC. 142. *Access Restrictions on Some Roads.* –

18 a) It is unlawful for any person, natural or juridical, to close, obstruct,
19 prevent, or otherwise refuse to the public or vehicular traffic the use of or free access
20 to any subdivision or community street owned by the government or to exact fees in
21 any form for the use thereof, unless with prior authorization of the sangguniang
22 bayan or sangguniang panglungsod of the city or municipality concerned. Such act is

1 hereby declared a nuisance per se and the mayor is authorized to remove such
2 closure or obstruction and to open the road to the public *motu proprio* at the expense
3 of the offender.

4 b) Private roads not turned over to the city or municipality may be opened
5 to the public under the following conditions:

6 i. The road strengthens the road network and provides traffic relief to nearby
7 roads that are congested as may be determined by the TMO;

8 ii. The sangguniang bayan or sangguniang panglungsod approves its opening,
9 under such terms and conditions that minimizes or obviate any disturbance,
10 pollution, or inconvenience to the residents in the area.

11 SEC. 143. ***Other Restrictions.*** – The use of streets, sidewalks, avenues,
12 alleys, bridges, parks and other public places for commercial and personal purposes
13 are prohibited. Such prohibited acts include:

14 a) Vending or selling of foods, magazines, newspapers, cigarettes, and any
15 items for sale;

16 b) Conducting of shoe-shine occupation;

17 c) Performing religious activities, such as preaching and seeking alms;

18 d) Doing house chores such as washing clothes, hanging clothes, and
19 bathing;

20 e) Vehicle garage, vehicle repair cleaning;

21 f) Dumping of garbage

22 g) Setting up of basketball court;

- h) Installing pens of animals or keeping animals in chains;
- i) Storing soft drinks, wine or liquor bottles and cases, drinking liquor and beverages and holding picnics or gatherings;
- j) Storing of junks and recyclable materials;
- k) Storing of construction materials for sale;
- l) Installing of roofs or awnings;
- m) Installing of permanent picket fence;
- n) Using the sidewalks for plants, trees and plant boxes; and
- o) Placing signs or signboards on or above sidewalks which abut business establishments.

All items, goods and structures found on or along roads, streets, avenues, alleys, sidewalks, bridges, parks and other public places not designated shall be confiscated by the city or municipality concerned without prior notice. The same shall be treated as common or ordinary garbage and shall be disposed of as such. Food commodities may be given to provincial, city or municipal jail as food for prisoners. The city or municipality is not liable for any damage arising from the removal, confiscation or disposal of the items.

ARTICLE XXII

PROCEDURES AND PENALTIES

SEC. 144. *Issuance of Traffic Violation Receipt (TVR).* – The rules of the LTO apply in the issuance of TVR where the LTO personnel conducts the apprehension. In cities and municipalities, when there is an ordinance or whenever

1 the ordinance is insufficient to regulate the procedure in the issuance of Ordinance
2 Violation Receipt (OVR), a duly deputized traffic enforcement officer shall
3 confiscate the driver's license and the issued receipt shall serve as temporary
4 driver's license for five (5) days from date of issuance. OVR issued by other local
5 government units shall be honored or respected by the apprehending traffic enforcer.
6 Except when authorized or directed by law to immediately take a person arrested for
7 violation of any of the traffic laws before a Court, the following procedures shall be
8 observed in the apprehension of any person found violating any provision of this
9 Act.

10 a) In case of drivers of motor vehicles, the traffic officer or deputized
11 agent shall demand presentation of the driver's license and the registration of the
12 motor vehicle. The apprehending officer shall then indicate the name, address and
13 license number of the driver in the citation ticket. The owner's name, address,
14 certificate of registration and the LTO branch where the vehicle is registered shall
15 likewise be indicated. The apprehending officer shall indicate the specific violation
16 and furnish copy of the citation ticket to the person apprehended.

17 If the violator is apprehended by an LGU officer, the traffic enforcer shall
18 confiscate the presented TVR or OVR and issue a new receipt. The traffic enforcer
19 shall also indicate the city or municipality that made the first or second
20 apprehension. In the event that the apprehended person decides to contest the
21 apprehension, a protest may be filed to the adjudication board created by the mayor
22 of every city or municipality whose decision is final. When there is no adjudication

board of a particular city or municipality, the city or municipal legal officer shall act on the protest.

b) In case a business establishment is found violating the provisions on traffic obstructions, the apprehending officer shall demand the presentation of mayor's permit, or in case of construction, the building permit. The apprehending officer shall indicate the name and address of the owner, the corresponding mayor's or building permit number and the particular provision violated. In the event, however, that the person found violating the provisions is not engaged in any occupation or business requiring a permit, the person's name and correct address shall be ascertained and indicated in the TVR or OVR.

c) In case of pedestrians found violating this Act or an ordinance, they shall be taken to the nearest office of the TMO to pay the appropriate penalty. In the event of inability to pay the fine, or that the person decides to contest the apprehension, the apprehending officer shall immediately file the corresponding complaint before the Office of the Prosecutor.

SEC. 145. *Failure to Obey Summons.* – Any person who fails to appear at the place and within the time specified in the summons for any traffic violation shall be punished in accordance with the prescribed penalties in Section 56 of RA 4136 in relation to Section 150 of this Act.

SEC. 146. *Summons on Illegally Parked Vehicle.* – Whenever any motor vehicle without driver is found parked or stopped in violation of any of the restriction contained in this Act, the officer finding the vehicle shall note down its

1 plate number and take any information displayed on the vehicle which may identify
2 its user. The officer shall conspicuously affix to the vehicle a summon for the driver
3 to answer the charge within seven (7) days, during the hour and at a place specified
4 in the summon.

5 SEC. 147. *Failure to Comply with Summons Attached to Parked Vehicles.*

6 – Persons apprehended and issued citation tickets shall appear before the local TMO
7 for appropriate disposition within the period specified in the ticket or written
8 summons. Failure to appear is construed as waiver of their right to contest the
9 citation and violators are liable for the payment of the corresponding charges.

10 SEC. 148. *When Complaint to be Issued.* – In the event any person fails or
11 refuses to comply with the summon within the time allowed in the preceding section,
12 the proper authority shall file the appropriate complaint and secure the issuance of an
13 arrest warrant against such person. Aside from filing of the appropriate complaint
14 before the court, the following administrative remedies for enforcement may be
15 undertaken:

16 a) For driving-related violations, the TMO shall communicate with the
17 LTO to hold in abeyance the renewal of driver's license or vehicle registration until
18 prior clearance is obtained;

19 b) For other violations, the TMO shall immediately request for
20 cancellation of the permit and the issuance of closure order from the mayor. In the
21 event that the owner of the thing or object causing the obstruction on the sidewalk of

city or municipal streets is not determined, the TMO shall cause its removal or impoundment.

SEC. 149. *Filing of Complaints by Apprehended Party.* – a) A person apprehended for violation of this Act or any local traffic ordinance may, within a period of five (5) working days from date of apprehension, file a complaint before the Complaints Division of the TMO of the city or municipality. The failure of the apprehended parties to file the complaint within the period prescribed is deemed a waiver of their right to protest. It is incumbent upon the hearing officers to verify from the date indicated in the TVR or OVR whether or not the period has prescribed.

b) The complaint shall be scheduled for hearing on a date where both parties are available. The hearing may be reset twice, but in no case shall exceed fifteen (15) days. The failure of one of the parties to attend the scheduled hearings is a waiver of the right to present evidence. The hearing officer shall decide based on the merits of the complaint and shall issue a resolution. The complaint shall be decided immediately and the issuance of the decision shall in no case exceed fifteen (15) working days from the time the complaint was filed.

c) Any request for extension of time to redeem the TVR or OVR shall be granted for seven (7) calendar days, extendible to another seven (7) calendar days. After two extensions, the TVR or OVR shall be immediately paid to the TMO cashier. Any person granted an extension shall be denied the right to file a complaint with the hearing officer.

1 SEC. 150. *Penalty for Violators.* – In addition to the penalties prescribed by
2 Section 56 of RA 4136 and other issuances by the LTO, any other violations of the
3 provisions of this Act not specifically covered shall be punished with fines to be
4 determined by the LTO in consultation with all stakeholders within sixty (60) days
5 from the effectivity of this Act.

6 SEC. 151. *Penalty for Enforcers.* – Any enforcer found guilty for improper
7 apprehension in violation of the rules of engagement, as determined by the hearing
8 officers based on evidence, shall be punished in accordance with civil service rules.

9 SEC. 152. *Collection.* – The collection of all fees, taxes, and fines under this
10 Act shall be made in accordance with the regulations prescribed by LTO. The TMO
11 of every city or municipality is hereby authorized to collect franchising fees,
12 supervisory and regulatory fees, and surcharges. It shall also have the authority to
13 collect fines, penalties and surcharges for any violation of the provisions of this Act
14 for violations committed within their jurisdiction upon proper coordination with the
15 LTO on a pre-agreed sharing scheme. The share of all fees and penalties collected
16 by the TMO shall accrue to the general fund of the city or municipality.

17 SEC. 153. *Incentives to Enforcement Units.* – For the share of the city or
18 municipality on all collected fines and penalties from the issuance of TVRs or
19 OVRs, a fifteen (15%) percent incentive shall be paid to all enforcers, administrative
20 staffs and all other personnel assigned in the TMO in a manner to be determined by
21 the sangguniang bayan or sangguniang panglungsod considering the extent of their
22 participation, giving priority to the personnel assigned in the field. The fifteen (15%)

1 percent incentives shall be given on a quarterly basis or every three (3) months in
2 accordance with existing budgeting, accounting and auditing rules and regulations.

3 SEC. 154. *Redemption Center.* – The LTO may tap the facilities of all cities
4 and municipalities for apprehensions made by LTO personnel. The TMO where the
5 traffic violation is committed serves as the redemption center where driver's licenses
6 of violators may be redeemed upon presentation of the official receipt as proof of
7 payment of the required fines from the LTO or office of the city or municipal
8 treasurer. In case of impounded vehicle, it may be retrieved from the designated
9 impounding area of the city or municipality upon surrender of the impounding
10 receipt and presentation of certificate of registration including the official receipt
11 issued by the office of the city or municipal treasurer serving as proof of payment of
12 the prescribed fine.

13 ARTICLE XXIII

14 GUIDELINES AND PROCEDURES FOR TOWING OPERATIONS

15 SEC. 155. *Guidelines for Towing Vehicles.* – The rules of procedure of the
16 LTO and TMO in every city or municipality shall be specifically followed. In the
17 absence of specific rules, the following shall apply:

18 a) The towing company or agency, whether private or government, shall
19 be held responsible for losses or damages incurred while towing the vehicles.

20 b) For illegally parked vehicles:

21 i. Attended illegally parked vehicles are not be towed but the driver is
22 immediately issued a TVR or an OVR.

1 ii. Unattended illegally parked vehicle is towed and issued a TVR or an OVR
2 immediately upon arrival at the impounding area.

3 iii. Illegally parked vehicles that are already clamped to the tow trucks shall
4 not be subject for intercession by the owner of the vehicle or by any representative
5 of the tow truck company.

6 c) For stalled vehicles as a result of flat tire

7 i. Stalled vehicle due to flat tire is towed and a TVR or an OVR is issued.

8 ii. Changing of flat tire on the road is not allowed.

9 d) Stalled vehicle as a result of empty fuel tank may be towed to the
10 nearest gasoline station, however, the towing fee must be paid to the tow truck in
11 accordance with the number of kilometers from the point of origin to the gasoline
12 station and a TVR or an OVR is issued to the driver.

13 e) Stalled vehicle as a result of engine trouble shall be towed and a TVR
14 or an OVR is issued to the driver.

15 SEC. 156. *Towing Procedures.* –

16 a) Upon receipt of the report on a stalled or illegally parked vehicle, the
17 tow truck shall immediately proceed to the identified location thereof.

18 b) Upon arrival at the identified location, the tow truck crew shall
19 immediately call the TMO to report on the said stalled or illegally parked vehicle.

20 The following information must be provided:

21 i. Stalled or illegally parked vehicle's plate number, type, and color;

22 ii. Vehicle's condition and other description;

1 iii. Tow truck's name, plate number, address, and telephone number;

2 iv. Names of towing crew personnel; and

3 v. Designated impounding area or location where the stalled or illegally
4 parked vehicle is brought.

5 c) The officer on duty of the TMO shall verify on its records whether or
6 not the said tow truck is duly accredited. If so, it shall record all above information
7 in the official logbook of incoming reports and assign a control number for each
8 entry or towing incident. All entries in the logbook must be signed by the TMO
9 officer on duty.

10 The pages of the official logbook must be pre-numbered. In case of any error
11 made in the recording of the towing incident, a horizontal line must be made to
12 indicate the error or its validation.

13 d) If the subject vehicle for towing is in the watch list of carnapped
14 vehicle, then it must be reported to the Philippine National Police authorities.

15 The TMO shall give the go signal to the towing crew with the following
16 instructions: "You are cleared to tow," to indicate that they may proceed with the
17 towing of the vehicle.

18 e) Upon receipt of the instructions, the towing crew engages the tow hook
19 to the stalled or illegally parked vehicle.

20 f) Before actual towing, if the owner is around, the tow truck crew shall
21 issue a TVR or an OVR. In case the owner or driver is not present, the notice is left
22 to any traffic officer on duty at the site or to any responsible person who may give

1 the notice to the owner. The impounding area where the vehicle is towed and
2 impounded must likewise be indicated.

3 i. In case the vehicle owner refuses to accept the notice, then the notice is
4 disregarded and the apprehending officer places a notation in the notice that the
5 owner refuses to accept before the vehicle is towed.

6 ii. In all instances, a TVR or an OVR is issued as prescribed in Section 155.

7 g) Upon reaching the designated impounding area with the towed vehicle,
8 the tow truck crew shall advise the TMO of the time of their arrival.

9 h) If the towed vehicle is not recorded in the logbook, the vehicle is
10 reported as missing and considered as carnaped.

11 i) The TMO shall validate the above information.

12 SEC. 157. *Monitoring of Towing Operations.* – It is unlawful for any
13 person to engage in illegal towing activities in areas, road or street not classified as
14 towing zone by the city or municipality concerned.

15 a) The traffic enforcement division of the city or municipality shall be
16 responsible for monitoring any suspicious or illegal towing operation in its area.

17 b) In case of any suspicion on a tow truck conducting a towing operation
18 which may arise due to the absence of identifying sticker to be issued by the city or
19 municipality concerned, the traffic enforcer shall stop the said tow truck for
20 questioning and coordinate with proper authorities whether the said towing incident
21 has been reported to it, and if the tow truck is duly authorized.

1 c) If the tow truck had no authority to operate the towing service within
2 the jurisdiction of a particular city or municipality, the towing incident is considered
3 an unlawful act, and the tow truck operator shall be charged for colorum operation.
4 The traffic enforcer shall issue a TVR or an OVR to the tow truck operator through
5 the driver for such violation and shall impound the tow truck.

6 d) The traffic enforcer shall report the illegally operating tow truck to the
7 authorities with complete information on the towing vehicle and the towed vehicle.

8 e) The TMO shall send the above information to all law enforcement
9 agencies to verify if the towed vehicle is among those reported as carnapped vehicle.

10 f) Without prejudice to criminal liability under the Revised Penal Code or
11 civil prosecution by the offended party, anyone proven to have violated this section
12 shall be liable under Section 56 of RA 4136 in relation to Section 150 of this Act. If
13 the violator is an accredited contractor, the authority granted shall likewise be
14 revoked by the city or municipality where such accredited contractor operates.

15 SEC. 158. *Towing Fees.* – The towing fees shall be charged by the tow
16 trucks for hire and shall be paid to the office of the city or municipal treasurer in
17 accordance with the schedule of fees as adopted by the city or municipality
18 concerned.

19 Motor vehicles and their attachment found illegally parked or stalled on
20 portions of areas, highways, streets or roads declared as “No Parking Zones” shall be
21 towed and impounded and shall be released only after payment of the prescribed

1 fees. The towing fees shall be divided between the city or municipality concerned in
2 accordance with their agreement.

3 SEC. 159. *Time of Payment.* – The fines and towing fees imposed must be
4 paid in accordance with the rules and regulations of the LTO and the city or
5 municipality concerned. If the towing fees and impounding fines have not been paid
6 by the owner or operator after six (6) months from impoundment, the impounded
7 motor vehicle must be sold at a public auction and the proceeds thereof applied to
8 accumulated charges. The excess, if any, must be returned to the owner or operator.

9 SEC. 160. *Absence of Towing Vehicles.* – In the absence of towing vehicles
10 owned by the city or municipality, the services of a towing contractor or contractors
11 duly accredited by the TMO shall be enlisted.

12 SEC. 161. *Vehicles not Towed or Impounded.* – If for any reason an
13 illegally parked or stalled vehicle is not towed and impounded, the owner or operator
14 thereof shall pay fines as prescribed by the city or municipality. The penalties
15 herein provided shall also apply to motor vehicles or its attachment that stall or
16 break down along national roads or highways and major thoroughfares regulated and
17 closely monitored by cities and municipalities within their area.

18 ARTICLE XXIV

19 VEHICULAR VOLUME REDUCTION SCHEME

20 SEC. 162. *Adoption of Vehicular Volume Reduction Scheme.* – All cities
21 and municipalities may adopt vehicular volume reduction scheme to ease traffic
22 congestion within their jurisdiction. They may prohibit motor vehicles from

1 operating within the city or municipal roads using the number coding scheme or any
2 other scheme as the city or municipality may adopt. As far as practicable, the
3 scheme shall avoid prohibiting vehicles from operating during Saturdays, Sundays
4 and holidays. The scheme shall avoid the inclusion of national roads which shall
5 remain open at all times.

6 SEC. 163. *Use of Number Plates.* – At all times, every motor vehicle shall
7 display in conspicuous places, one front and one in the rear thereof, the number
8 plates issued by the LTO.

9 The number plates shall be kept clean and cared for, and shall be firmly
10 affixed to the motor vehicle in such a manner which makes it entirely visible and
11 always legible.

12 In the event that a conductor sticker is being used, proof of ownership shall be
13 kept in the vehicle to ensure its availability in case that a traffic enforcer or police
14 officer requires its presentation.

15 In case of an improvised number plate, the driver shall keep the original of the
16 authority issued by the LTO available for presentation if required by an
17 apprehending traffic enforcer.

18 The use of expired commemorative, personalized, and improvised license
19 plates is prohibited.

20 SEC. 164. *Exempted Vehicles.* – The following vehicles are considered
21 automatically exempted from vehicle volume reduction scheme:

22 a) Motorcycles;

b) Ambulance, fire trucks, police patrol, military vehicles on official functions;

c) Diplomatic vehicles with diplomatic plates;

d) Government vehicles with government plates or appropriate LTO stickers or markings expressly showing the name of the agency or office while in official use;

e) Official media vehicles with markings expressly showing their company while in official use;

f) Tow trucks; and

g) Vehicles used by medical practitioners in an emergency.

SEC. 165. *Requirements and Procedures for Exemption.* – The mayor may grant special exemption for vehicles not covered by the preceding section on a case to case basis or when the situation warrants or extremely necessary, subject to the following requirements:

a) The application is filed with the TMO who shall review the application to assess if documents are in order and complete and validate entries therein before endorsement to the office of the mayor for approval and issuance of exemption.

b) The following requirements must be submitted:

i. Duly accomplished application form;

ii. Certificate of registration of the vehicle(s);

iii. Proof of payment of filing fee;

iv. Documents in support of request for exemption.

1 c) Any exemption granted shall be valid only for a period of one (1) year
2 from date of issuance, subject to renewal.

3 d) The certificate of exemption shall be in a prescribed original form duly
4 signed by the Mayor.

5 SEC. 166. *Fees for Exemption.* – Filing and processing fees are prescribed
6 by the TMO of the city or municipality. The filing and processing fees are paid to
7 the treasurer upon filing of the application. The municipal or city administrator shall
8 release the certificate of exemption issued by the mayor.

9 ARTICLE XXV

10 TRAFFIC ADMINISTRATION

11 SEC. 167. *Creation of Traffic Management Office (TMO).* – There shall
12 be created, in every city and municipality, a TMO under the direct supervision and
13 control of the mayor. The TMO, concurrent with the power of the LTO save as to
14 certain functions reserved exclusively to the latter, is vested with the power to
15 enforce and implement this Act or local traffic ordinance and such traffic
16 management plans and programs that the city or municipality may adopt.

17 The TMO shall have as many offices and personnel as may be provided by
18 ordinance approved by the sangguniang bayan or sangguniang panglungsod.

19 SEC. 168. *Qualification of the Department Head.* – The TMO shall be
20 headed by a department head who shall be appointed by the mayor and who shall
21 serve coterminous with the term of office of the appointing authority. The
22 department head must be a natural-born citizen, a resident of the city or municipality

1 concerned, at least thirty-five (35) years of age, of good moral character and sound
2 probity, a college graduate and trained in public administration, law, management,
3 civil engineering, or traffic engineering and management.

4 The head of the TMO must have the rank of a department head and the salary
5 and emoluments applicable to that position grade.

6 SEC. 169. *Uniforms of Traffic Officers.* – In order to provide a distinction
7 between traffic officers and members of the Philippine National Police (PNP), the
8 traffic officers shall wear a uniform distinct from the uniform or attire of the
9 members of the PNP.

10 ARTICLE XXVI

11 FINAL PROVISIONS

12 SEC. 170. *Miscellaneous.* – Notwithstanding the provisions of this Act,
13 other existing local traffic ordinances and laws to the contrary, all cities and
14 municipalities are given full power and authority to adopt, modify or amend local
15 traffic ordinances, issue rules and regulations for the updating of imposable fines
16 and penalties except the increase of the terms of imprisonment, with the end in view
17 of making this Act truly reflective of the ideals of good governance, especially in
18 regulating the use and enjoyment of roads and streets all over the country.

19 The authority of the LTO in issuing administrative fees and charges shall
20 continue to stay and be given full force and effect.

21 SEC. 171. *Appropriations.* – The funding of cities and municipalities with
22 existing Traffic Management Office shall continue to apply. All other cities or

1 municipalities shall draw their funding in the formulation of their respective TMO
2 from their local government funds.

3 SEC. 172. *Separability Clause.* – If any provision of this Act is declared
4 unconstitutional, the remainder of this Act or any provision not affected thereby
5 shall remain in full force and effect.

6 SEC. 173. *Repealing Clause.* – Chapter IV (Sections 35 to 55) of RA 4136
7 otherwise known as the “*Land Transportation and Traffic Code*” is hereby repealed.
8 All laws, executive orders, previous issuances, ordinances, rules and regulations or
9 parts thereof which are inconsistent or in conflict with the provisions of this Act are
10 hereby repealed or modified accordingly.

11 SEC. 174. *Effectivity.* – This Act shall take effect fifteen (15) days after its
12 publication in the Official Gazette or in a newspaper of general circulation.

13 Approved,