



Republic of the Philippines
Province of Cavite
CITY OF BACOR

Office of the Sangguniang Panlungsod

CITY RESOLUTION NO.2023-355
Series of 2023

DISTRICT I

HON. CATHERINE SARINO-EVARISTO
City Councilor

HON. MICHAEL E. SOLIS
City Councilor

HON. ADRIELITO G. GAWARAN
City Councilor

HON. VICTORIO L. GUERRERO, JR.
City Councilor

HON. ALEJANDRO F. GUTIERREZ
City Councilor

HON. LEVY M. TELA
City Councilor

DISTRICT II

HON. ROBERTO L. ADVINCULA
City Councilor

HON. REYNALDO D. PALABRICA
City Councilor - President Pro-Tempore

HON. REYNALDO M. FABIAN
City Councilor

HON. ROGELIO M. NOLASCO
City Councilor

ON LEAVE
HON. ALDE JOSELITO F. PAGULAYAN
City Councilor

HON. SIMPLICIO G. DOMINGUEZ
City Councilor

HON. RAMON N. BAUTISTA
Liga ng mga Barangay President

HON. MAC RAVEN ESPIRITU
SK Federation President

Attested by:

ATTY. KHALID A. ATEGA, JR.
Sangguniang Panlungsod Secretary

Certified by:

HON. ROWENA BAUTISTA-MENDIOLA
City Vice Mayor

Approved by:

HON. STRIKE B. REVILLA
City Mayor

A RESOLUTION APPROVING AND RATIFYING THE CONSOLIDATION OF THE VARIOUS AMENDMENTS MADE BY THE SANGGUNIANG PANLUNSGOD ON CITY ORDINANCE NO. 2013-047 (THE "REVISED TRAFFIC CODE OF THE CITY OF BACOR") MADE BY THE SANGGUNIANG PANLUNGSOD SECRETARIAT AND THE BACOR TRAFFIC MANAGEMENT DEPARTMENT PURSUANT TO SECTION 45 OF CITY ORDINANCE NO. 11-2019.

Sponsored by:

Hon. Reynaldo D. Palabrica

Co-sponsored by:

Hon. Roberto L. Advincula, Hon. Ramon N. Bautista, Hon. Simplicio G. Dominguez, Hon. Mac Raven Espiritu, Hon. Catherine S. Evaristo, Hon. Reynaldo M. Fabian, Hon. Adrielito G. Gawaran, Hon. Alejandro F. Gutierrez, Hon. Rogelio M. Nolasco, Hon. Michael E. Solis and Hon. Levy M. Tela.

WHEREAS, the Revised Traffic Code of the City of Bacoor (the "Revised Bacoor Traffic Code") first came into being in 2013 with the approval of City Ordinance No. 2013-047.

WHEREAS, since its approval, the Sangguniang Panlungsod has passed no less than 15 ordinances from 2013 to 2023 amending the various provisions of the Revised Traffic Code.

WHEREAS, Section 45 of City Ordinance No. 11-2019 provides that:

"Section 45. Review and Reprinting of the Revised Traffic Code. Due to the extensive changes made to the Revised Traffic Code by virtue of this Ordinance, the Sangguniang Panlungsod Secretariat and the BTMD are hereby directed to jointly review and reprint the Revised Traffic Code as amended hereby and to submit a report on any possible additional amendments that may be needed to be passed by the Sangguniang Panlungsod within thirty (30) working days after the date of



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effectivity of this Ordinance. A copy of the amended Revised Traffic Code shall be attached hereto as Annex "A" and shall be deemed a part of this Ordinance.xxx"

WHEREAS, due however to the work disruptions caused by the COVID-19 pandemic and the various additional duties that the Sangguniang Panlungsod Secretariat and the Bacoor Traffic Management Department had to perform in the effort to control the effects of the said public health emergency, it was only on 10 October 2023 that the Sangguniang Panlungsod Secretariat and the BTMD got the opportunity to work jointly to comply with the aforementioned provision of City Ordinance No. 11-2019.

WHEREAS, on 12 October 2023, the final draft of the consolidation of the various amendments to the Revised Bacoor Traffic Code was completed by the Sangguniang Panlungsod Secretariat.

WHEREAS, the Sangguniang Panlungsod reviewed the said draft and found that it faithfully reproduced and consolidated the various amendments made by the city council on City Ordinance No. 2013-047.


NOW THEREFORE, upon motion of Hon. Reynaldo D. Palabrica, unanimously seconded by the rest of the Body, **BE IT RESOLVED AS IT IS HEREBY RESOLVED** by the 5th Sangguniang Panlungsod of the City of Bacoor, Cavite in regular session assembled to approve and ratify the final draft of the consolidation of the various amendments to the Revised Bacoor Traffic Code, a copy of which is attached hereto and made an integral part hereof as **Annex "A"**.

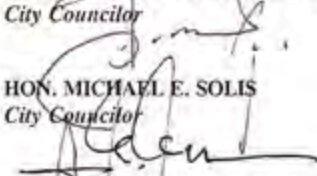
RESOLVED FURTHER, to direct the Sangguniang Panlungsod Secretary and Mr. Adel Udarbe of the BTMD to submit a report to the Sangguniang Panlungsod on any additional amendments to the Revised Traffic Code that needs to be done.

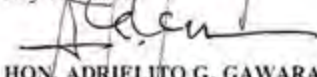
RESOLVED MOREOVER, to direct the publication of the aforementioned consolidation of the various

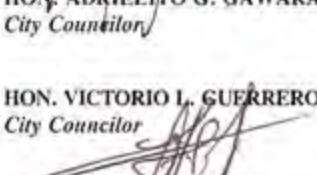


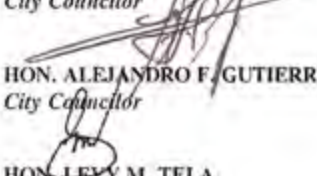
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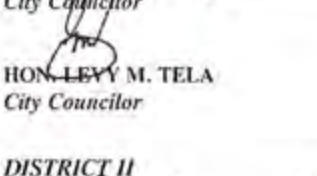
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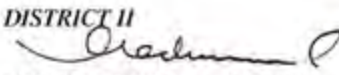

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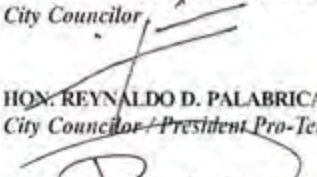

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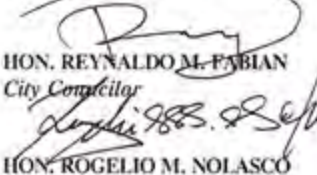

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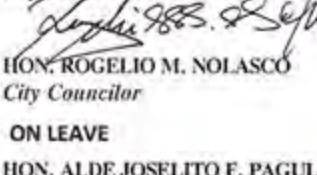

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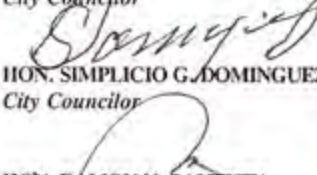
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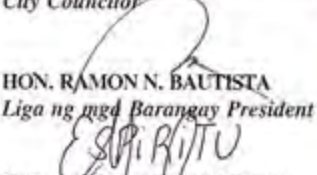

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City Councilor/President Pro-Tempore

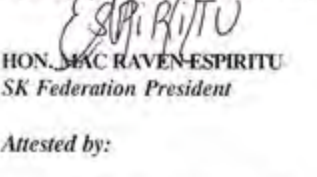

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Sangguniang Panlungsod Secretary

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Approved by:

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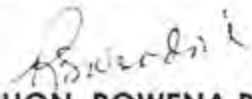
amendments to the Revised Bacoor Traffic Code and its posting in the official websites of the Bacoor City Government and of the Sangguniang Panlungsod.

RESOLVED LASTLY, to furnish the BTMD, all of the barangays of the City of Bacoor, all homeowners associations in the City of Bacoor, the Office of the City Mayor, the University of the Philippines-Office of the National Administrative Register (UP-ONAR), and all other government agencies concerned with copies of this Resolution and its Annex "A".

APPROVED this 16th day of October, 2023 by the 5th Sangguniang Panlungsod of the City of Bacoor, Cavite.

I hereby certify that the foregoing Resolution was duly approved in accordance with law.


Certified by:


HON. ROWENA BAUTISTA-MENDIOLA
City Vice Mayor/Presiding Officer

Attested by:


ATTY. KHALID A. ATEGA JR.
Sangguniang Panlungsod Secretary

Approved by:


HON. STRIKE B. REVILLA
City Mayor

ANNEX "A"

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(As Amended)

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**THE REVISED TRAFFIC CODE OF THE CITY OF BACORR
(As Amended)**

ARTICLE 1.

Preliminary Provisions

Section 1. *Enactment.* -The various amendments to City Ordinance No. 2013-47, Series of 2013, (otherwise known as the "Revised Traffic Code of the City of Bacoor") are hereby approved and enacted.

Section 2. *Repeal Clause.*- All existing Ordinances, Resolutions, Implementing Rules and Regulations (IRR) and Executive Orders that either duplicate or contravene any of the provisions of City Ordinance No. 2013-47 as amended, are hereby repealed and/or modified accordingly.

Section 3. *Separability Clause.*- If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, the remainder of this ordinance, and the application of such provision to other persons or circumstances, shall not be affected thereby.

Section 4. *Existing Permits to Remain in Force.*- Except as otherwise provided in this Ordinance, all permits lawfully issued under the provisions of any ordinance herewith repealed shall remain in force and effect until expiration according to the terms thereof, unless sooner surrendered or revoked.

Section 5. *Rule on Interpretation in Case of Conflict with Filipino Translation.* -In case a conflict in the interpretation hereof arises between the English version of this ordinance and its Filipino translation, the provisions of this Ordinance and its annexes appearing in English shall prevail.

Section 6. *Effectivity.*- This Ordinance shall take effect immediately after its publication in a newspaper of general/local circulation and posting in conspicuous places in the barangays.

Section 7. *Dissemination.*- Let copies of this Ordinance be sent to the Office of the City Mayor and to all government departments, agencies, and offices concerned.

Section 8. *Title.*- Notwithstanding the incorporation of certain amendments, this Ordinance shall still be known and cited as the "***Revised Traffic Code of the City of Bacoor.***"

Section 9. *Scope of Application.*-This Ordinance provides the traffic rules and regulations on all public roads in the City, whether national or local in classification. It shall also provide pedestrian rules and regulations; vehicle stops and transport terminals location and operation; the use of sidewalks and alleys; road use by all motor vehicles including motorized tricycles and pedicabs, bicycles, horse- drawn rigs, pushcarts and other forms of conveyances, whether public or private; parking zones; and in general, such other rules and regulations that will promote the safe and productive use of the road network in the City of Bacoor. When public safety and public order so requires such as in cases of public emergencies, the provisions hereof shall also apply and may also be implemented on particular privately- owned roads located within the territorial jurisdiction of the City of Bacoor.

This Ordinance shall also lay down the powers and functions of the Bacoor Traffic Management Department (BTMD) as well as the rights and duties of all motorists, the riding public and the pedestrians using the road network of the City of Bacoor with respect to the implementation of the Traffic Code of the City of Bacoor.

Section 10. *Declaration of Policy.*- It is the policy of the City of Bacoor to adopt a systematic, comprehensive and effective traffic management program that shall:

- a. Ensure the security and safety of motorists, pedestrians and the riding public who use the road network of the City of Bacoor.
- b. Strictly implement all existing traffic laws including the provisions of this Ordinance, and enforce franchising regulations for all public utility vehicles operating in various routes within the territorial jurisdiction of the City of Bacoor.
- c. Promote a viable traffic management plan for public utility vehicles operating in various routes within the territorial jurisdiction of the City of Bacoor.

d. Establish a control and monitoring mechanism for public transport vehicles operating within the territorial jurisdiction of the City of Bacoor in order to minimize, if not totally eradicate, the proliferation of out- of-line and "colorum" public transport vehicles illegally operating in various routes within the City's territorial jurisdiction.

e. Regulate the flow of traffic on all streets and bridges, prohibit encroachments or obstacles thereon and, when necessary in the interest of public welfare and upon proper determination, identification and notice, authorize the removal of encroachments and illegal constructions in public places located within the City of Bacoor.

f. Ensure the efficient, safe, unhampered and orderly flow of people and goods through the road network of the City to ensure economic growth and social vitality; and

g. Create a culture of shared accountability among traffic law enforcers, motorists, and pedestrians in recognition of the principle that the use of the limited urban road space is both a right and a responsibility, the competing use of which, must be allocated for the greatest good and the greatest number through a judicious, fair, participatory and informed traffic management system.

Section 11. Administration and Enforcement.-This Ordinance shall be enforced by the Bacoor Traffic Management Department (BTMD) which shall be given assistance in the form of additional personnel, facilities and other resources by any other office or instrumentality that has been or may be created by the Sangguniang Panlungsod, as the need arises. The BTMD shall have the primary duty to enforce all laws and regulations of the Republic of the Philippines pertaining to traffic management within the City of Bacoor.

Section 12. Definition of Terms.- As used in this Ordinance, the following terms shall have the following meanings:

1. **Abandoned vehicles** - those that are left unattended by the driver or owner for an unreasonable length of time.

2. **ACV**-Air-conditioned vans.

3. **Air pollution** - any alteration of the physical, chemical and biological properties of the atmospheric air, or any discharge thereto of any liquid, gaseous or solid substances that will or is likely to create or to render the air resources of the country harmful, detrimental, or injurious to public health, safety or welfare or which will adversely affect their utilization of domestic, commercial, industrial, agricultural, recreational, or other legitimate purposes as defined under Sec.5 (b), Art. II of the Phil. Clean Air Act of 1999.

4. **Alcohol**- any spirit, wine, beer, cider or other fermented, distilled or spirituous liquor normally ingested as a beverage excluding any other beverage with 0.5% strength or below.

5. **Ambient Air Quality**- the general amount of pollution present in a given broad area and refers to the atmosphere's average purity as distinguished from discharge measurements taken at the sources of pollution as defined under Sec.5 (d), Art. II of the Phil. Clean Air Act of 1999.

6. **Attended Illegally Parked Vehicle** – an illegally parked vehicle whose driver is present or who would appear at anytime prior to the actual clamping of the said vehicle to the tow truck and who is willing and able to move out the illegally parked vehicle without delay.

7. **Bacoor Solidarity Route** – private roads located within the private subdivisions where privately-owned vehicles registered under the name of Bacoor City residents and motor vehicles owned, operated, or registered under the name of either a city government employee or of any of its officials are allowed to use subject to certain limitations.

8. **Bacoor City Solidarity Route Sticker**- adhesive device that shall be pasted on the front windshield of vehicles accredited/qualified to avail as beneficiaries of the solidarity route subject to compliance of the vehicle for the purposes of this Code.

9. **Barangay officials** - persons elected or appointed to lead or manage the affairs of a barangay such as the punong barangay, barangay kagawad, barangay tanod, and others.

10. **Bacoor Impounding and Towing Unit (BITU)** – an office under the BTMD tasked to operate, supervise, maintain, and manage the tow trucks and impounding areas owned and/or operated by the city government through the BTMD and used for the towing and impounding of illegally parked or stalled vehicles within the City of Bacoor.
11. **Breath analyzer (or "breathalyzer")** - machines, instruments or devices used to monitor the amount of alcohol in a person's blood through a breath sample of the said individual.
12. **BTMD**- the Bacoor Traffic Management Department.
13. **Cargo Truck** - any motor vehicle principally intended for carrying cargo and having license plates of the following classifications: "S", "T", "TC", "TH", "TRLB", "HHB", and "TRJ", to include other vehicles such as lorries, vans, tankers, or other delivery vehicles, whether loaded or empty, having six wheels or more.
14. **CCTV cameras** - Closed caption television cameras.
15. **Certificate of Compliance** - a certificate issued to an owner or operator of any motor vehicle by the City Environment & Natural Resources Office (CENRO) of Bacoor City in coordination with the Land Transportation (LTO) of the Province of Cavite, certifying that said vehicle had passed or failed the Smoke Emission Test based on the rates established under the Clean Air Act using a Smoke Tester duly accredited by the LTO and the Department of Environment and Natural Resources Office (DENR).
16. **Checkpoint**- a place located along a public or private road, manned by police, BTMD, and/or barangay officials, maintained for the purpose of determining if drivers and passengers and/or the motor vehicles they are operating are complying with any of the following laws or government regulations in addition to the provisions of this Code:
1. Republic Act No. 4136 (the "Land Transportation and Traffic Code");
 2. Administrative Order No. AHS-2008-015 of the Land Transportation Office (*Rules and Regulations for the Use and Operation of Motorcycles on Highways*);
 3. Republic Act No. 10054 (the "Motorcycle Helmet Act of 2009");
 4. Republic Act No. 10586 (the "Anti-Drunk and Drugged Driving Act of 2013"); and
 5. Republic Act No. 10666 (or the Children's Safety on Motorcycles Act of 2015).
17. **"Colorum" Vehicle**- a privately-owned vehicle that operates as Public Utility Transport even without a legitimate franchise to operate in any route.
18. **Commuters**- the riding public.
19. **Counterflow** - the act of occupying a vehicular traffic lane which would otherwise be in the opposite traffic direction.
20. **DOTr**- the Department of Transportation.
21. **Driver**- the operator of a motor vehicle or pedicab.
22. **Driving**- the act of operating a motor vehicle with the key in the ignition and the engine running, or a pedicab whether on a public or private property and even while the said vehicle is parked.
23. **Drug Recognition Evaluator** - a law enforcement officer such as a barangay official BTMD personnel or PNP personnel who have been trained and deputized by the Land Transportation Office (LTO) to conduct the Drug Recognition Protocol under the implementing rules of RA 10586 or a barangay official duly trained and deputized by the BTMD to implement this Ordinance.
24. **DUI (Driving under the influence)** - the act of operating a motor vehicle while the driver's blood alcohol concentration level has, after being subjected to a breath analyzer test, reached the level of intoxication of 0.05% or higher for holders of non-professional driver's licenses and 0.1% or higher for holders of professional driver's licenses.
25. **Drugs** - any of the narcotic drugs and psychotropic substances mentioned in Republic Act No. 9165 also known as the "Comprehensive Dangerous Drugs Act of 2002".
26. **Electrical accessories**- the horn, brake, headlight and turn signals of a motor vehicle.

27. **Emergency** -any situation where the life of an individual is at risk and requires immediate medical attention in order to prevent death or injury.
28. **Emissions** - any air contaminant pollutant gas stream or unwanted sound from a known source which is passed into the atmosphere as defined under Sec.5 (h), Art. II of the Phil. Clean Air Act of 1999.
29. **Environmentally-sound PUV** - any PUV unit that is powered by electricity, the sun, the wind, or any similar alternative power source not harmful to the environment.
30. **Field Sobriety Tests** - the standardized tests to initially assess and determine intoxication, such as the **horizontal gaze nystagmus (HGN)** (the involuntary jerking of one's eye when it gazes to the side), the **walk-and-turn** (requiring the suspect to take nine steps, heel-to-toe, along a straight line; turn on one foot and then return in the same manner in the opposite direction), the **one-leg stand** (suspects are asked to stand with one foot about six inches off the ground and count for 30 seconds. Swaying while balancing, using arms to balance, hopping or putting the foot down indicate possible impairment).
31. **Franchise** - the legitimate document of entitlement of a tricycle or pedicab operator to operate as public utility vehicle/s within a specific route of road networks and directions within the City of Bacoor issued by the Sangguniang Panlungsod as duly approved by the City Mayor.
32. **Homeowners Association** - organizations formed by residents of various residential subdivisions or communities within the City of Bacoor accredited by the Sangguniang Panlungsod as a people's organization or non-government organization.
33. **Illegally Parked Vehicles** – any motor vehicle and/or its attachment/s that, for any cause, have been parked within the City of Bacoor in areas designated as “no parking zones” by the BTMD, the City Mayor, by ordinance, or by law.
34. **Impounding** – the seizure and taking into legal custody of a motor vehicle because of a violation of the law or ordinance.
35. **Inter-modal transport terminals** - terminals which can simultaneously accommodate or serve at least three types of public land transport vehicles, such as PUJ's, PUBs, Multi- cabs, and Vans/AUVs.
36. **Jaywalking** - illegal or reckless crossing of a roadway by a pedestrian.
37. **Lane Splitting** - using or sharing a lane already occupied by one vehicle by another vehicle such as a motorcycle or scooter in a road or highway.
38. **Lane Straddling** - occurs when a vehicle or motorcycle occupies a lane line instead of between those lines resulting in the said vehicle to occupy two lanes at the same time.
39. **Law Enforcement Officer** - members of the Philippine National Police, barangay officials, and traffic aides of the BTMD.
40. **LTFRB**- the Land Transportation Franchising and Regulatory Board.
41. **LTO**- the Land Transportation Office.
42. **Motor Vehicle** – any vehicle propelled by any power other than muscular power using the public highways, but excepting road rollers, trolley cars, street-sweepers , sprinklers, lawn mowers, bulldozers, graders, forklift, amphibian trucks, and cranes if not used on public highways, vehicles which run only on rails or tracks and tractors, trailers and traction engines of all kinds being used exclusively for agricultural purposes.
43. **Motorcycle** – two-wheeled motor vehicle having one or two riding saddles. Whenever the word "vehicle" is used in this Ordinance, it shall refer to motorcycles, to motorcycles with sidecars, or to motorcycles with more than two wheels.
44. **Motorcycle Lane** - a part of public roads situated on various parts of the City of Bacoor that motorcycle drivers are required to use.
45. **Noise Pollution** - noise produced or emitted by motor vehicles exceeding 70 decibels excluding such noise emitted by emergency vehicles.

59. **Route Rationalization** - the proper and reasonable determination of route plans and operation of public transportation with consideration to road usage and capacity, loading and unloading zones for passenger commuters; and public transport terminal which are aimed at promoting public welfare and safety.

60. **Rush Hours** - from 6:00 am to 9:00 am, and 5:00 pm to 7:00 pm during weekdays.

61. **Smoke Belching** – the excessive emission of black or dark and thick smoke emanating from any motor vehicle or motorized equipment such as generator sets, boat engines, and the like which are attached to a motor vehicle arising from poor conditions of the engine due to lack of care and maintenance.

62. **Smoking**- the act of carrying a lighted cigarette or other tobacco products, whether or not it is being inhaled or smoked as defined under Republic Act No. 9211.

63. **SSV**- Shuttle Service Vehicle.

64. **Stalled vehicles** – any motor vehicle and/or its attachment that, for any cause, is unable to move under its own motor power and is on a public road, street, or thoroughfare including dilapidated or damaged vehicles parked or dumped along roads, road sides, sidewalks, vacant lots, open spaces, and other public thoroughfares within the City of Bacoor.

65. **Standard helmet** - shall mean the protective helmet approved by the Department of Trade and Industry (DTI) with PNS-UNECE 22 marking.

66. **Towing**- to pull or clamp the tires of a motor vehicle through the use of a tow truck, tow bar and chain block.

67. **TVR** - Traffic Violation Receipt.

68. **Traffic Code** - this Ordinance.

69. **Traffic Aide** - an employee of the city government assigned to the BTMD tasked with the enforcement of the Traffic Code and of various laws/government regulations related to traffic management or road safety.

70. **Transport Operators and Drivers Association (TODA)** - refers to the associations of operators and drivers of public utility vehicles operating within the City of Bacoor;.

71. **Truck** -any private motor vehicle, not otherwise being leased by the government or any of its branch or instrumentalities, having a compartment at the back, whether open, enclosed or semi-enclosed having at least 3,600 kg gross vehicle weight (GVW) shall be considered as a truck for purposes of this Ordinance. *Provided:* that garbage trucks must comply with City Ordinance No. 2014-001, otherwise known as "Garbage Truck Entry Regulation Ordinance of the City of Bacoor".

72. **Unattended Illegally Parked Vehicles** – any illegally parked motor vehicle that does not have a driver at the time that it was actually clamped to a towing truck.

73. **Violators** - individual persons, groups, organizations, associations or other entities that violate any of the provisions of the Traffic Code or any other law or ordinance.

Section 13. Rules on Number, Gender, and Tense.- Whenever consistent with the context of this sub-title, words used in this Ordinance in the present, past or future tenses shall be construed to be interchangeable with each other. Words appearing in this ordinance in the singular number shall be construed to include the plural while words in the plural form shall be construed to include the singular. Words appearing herein in any gender shall apply to the feminine, masculine and neuter genders.

Section 14. Mandatory Review.- The Sangguniang Panlungsod in coordination with the Office of the City Mayor are hereby mandated to review this Ordinance at least once every two (2) years following the approval hereof for possible amendments or revisions.

ARTICLE 2.

Deputation of Barangays Officials and Revenue Sharing

Section 15. Deputation of Various Barangays Officials. The officials of the various barangays of the City of Bacoor that (1) have roads that are being utilized as part of the Solidarity Route Project, and (2)

who are duly trained and accredited by the BTMD are hereby deputized to enforce the provisions of this Ordinance pertaining to jaywalking, illegal parking, illegal terminals and the removal of illegal structures on public roads, parks, and bridges.

Provided that: such deputation is subject to the following limitations:

a. Only barangay officials/personnel who have been trained and accredited by the BTMD shall be allowed to enforce the provisions hereof;

b. In the case of barangay officials/personnel who have been deputized to enforce this Ordinance, their authority to enforce the provisions of this Code shall only be limited within the territorial jurisdiction of their respective barangays;

c. All barangay officials/personnel who have qualified to be deputized under this Code shall be subject to the control and supervision of the City Mayor and the BTMD. As such, the Department Head of the BTMD shall have the power to recommend to the City Mayor the revocation of the authority herein granted to any barangay official/personnel who may have abused or misused the authority herein granted.

Section 16. Revenue Sharing. To ensure the effective implementation of this Ordinance, **Twenty Percent (20%)** of the fines collected from persons who were apprehended by the officials of the said barangays within their respective territorial jurisdictions shall be given to the Barangay concerned. **Provided that:** the salaries or allowances of barangay tanods may be derived by the barangays from their share from revenues generated under this provision. **Provided further that:** the City Accountant shall devise procedures and regulations that will ensure the proper disposition of the said revenue shares of the barangays concerned following the date of effectivity of this Ordinance to ensure that relevant government audit and accountability regulations are strictly complied with.

ARTICLE .

The Bacoor Traffic Management Department

Section 17. The Bacoor Traffic Management Department.—The BTMD, which shall be under the direct supervision and control of the City Mayor, is vested with the power to enforce and implement the Revised Traffic Code and various laws and regulations of the Republic of the Philippines related to traffic management and road safety, and such traffic management plans and programs that may hereafter be drawn or prepared.

The BTMD shall have one (1) Division and three (3) units. The said division shall be known as the **Administrative and Operations Division** and shall have the following functions:

A. Administrative and Operations Division:

1. The Administrative and Operation Division shall be under the supervision of the **City Government Assistant Department Head** and shall provide administrative services and logistics support to the BTMD.
2. Provide management information services, including the collection of accident data, updating and maintenance of records, inventory of roads and traffic control devices.
3. Manage, prepare and submit office documents relating to traffic management.
4. Reply to all correspondence relating to all complaints forwarded to the BTMD by various national agencies and other complaints via email.
5. Handle the documentation attendant to traffic enforcement, such as the printing and distribution of Solidarity Route Stickers, and OVRs.
6. Take custody of the duplicate copies of issued OVR's as well as the confiscated driver's licenses, plate numbers and issue clearance forms upon presentation of proof of payments of the prescribed fines.
7. Receive all requests and issue permits pertaining to activities to be done on public roads, such as motorcades, fun runs, excavations, etc.

8. Receive and handle complaints regarding traffic violations and other traffic concerns.
9. Coordinate with the BDRRMO and City Engineering Office regarding road accidents involving persons and accidents involving government properties, respectively.
10. Coordinate with the City Legal Officer for the filing of proper charges against violators who refuse or fail to comply with imposed penalties and/or pay the imposed fines within the prescribed period.
11. Develop a system and create a database that would contain the identities of all violators as well as the nature, frequency and dates and specific places of commission of violations of the Revised Traffic Code and other related laws and ordinances.
12. Conduct public information campaigns in support of any activities of the BTMD.
13. Assist the Sangguniang Panlungsod in the formulation of traffic engineering schemes, such as the banning of turning movements, the creation of one-way streets, the prohibition of parking in certain public places, designation of loading/unloading zones, the regulation of speed limits, and similar measures, in accordance with its approved priority list.
14. Assist in the installation and maintenance of traffic signs, road markings and other traffic control devices or cause the preparation and installation of the same.
15. Recommend to the Sangguniang Panlungsod various ordinances in support of traffic management schemes of the BTMD.
16. Review property development proposals as to their traffic impact, especially those involving land use conversion from low to high-intensity traffic generation.
17. Collect traffic data and statistics such as vehicular counts, road layouts and dimensions, and the like.
18. Review request for road diggings, road constructions, temporary closures, parades, and conduct of extraordinary events that would reduce road capacity.
19. Provide technical inputs into the preparation and updating of the City's Comprehensive Land Use Plan and Zoning Ordinance, particularly the long-term road network plan of the City.
20. Assist in the assignment of personnel to direct or control traffic at intersections and other locations requiring such intervention; and
21. Propose changes in any traffic scheme including the installation and operation of traffic signals.

B. Units Under the Administrative and Operations Division. The three (3) units under the Administrative and Operations Division shall be known as follows: (a) the **Engineering and Planning Unit**, (b) the **Enforcement and Management Unit** and (c) the **Bacoor Impounding and Towing Unit**.

C. Powers and Functions of the Engineering and Planning Unit. – The Engineering and Planning Unit shall have the following powers and functions:

1. Identify traffic bottleneck points within the city and establish priorities in implementing remedial measures therefor.
2. Identify private roads that should be opened to improve overall traffic circulation, and initiate moves for the full or partial integration into the road network subject to approval by the Sanggunian by way of a Resolution.

3. Coordinate with the City Engineering Office and the City Planning and Development Coordinator's Office and with public transport operators in the provision and or operation of facilities like inter-modal terminals and waiting areas.
4. Appear in the hearings of the LTFRB to ensure that the issuance of permits or certificates of public convenience are consistent with the plans of the City.
5. Determine the need, in coordination with the City Planning Department, for amendments to the zoning ordinance that are likely to have a significant traffic impact.
6. Formulate and advocate programs that will promote and encourage walking and trips by public transport and higher-capacity modes.
7. Update and analyze the public transport routes and services covering tricycles, buses, jeepneys, and other public transport modes and submit recommendations thereon to the DOTr/LTFRB and to the Sangguniang Panlungsod.
8. Provide the technical and staff support to the Sangguniang Panlungsod in regulating the operation of tricycles and pedicabs within the administrative jurisdiction of the City; and
9. Appear in the hearings of the LTFRB to ensure that the issuance of permits or certificates of public convenience are consistent with the plans of the City.

D. Powers and Functions of the Enforcement and Management Unit. – The Enforcement and Management Unit shall have the following powers and functions:

1. Execute the enforcement component of any traffic scheme devised or conceived by the Engineering and Planning Unit, that have been approved by the Sangguniang Panlungsod.
2. Enforce applicable traffic rules and regulations, including apprehension and issuance of traffic citation tickets to drivers found in violation of any provisions of this Ordinance and of all laws related to the traffic management.
3. Cause the investigation of all vehicular accidents that occur within the city.
4. Coordinate with the Philippine National Police (PNP), the traffic management units of local government units adjoining the City, and other affiliating agencies to harmonize personnel deployment and field operations within the city.
5. Initiate the towing or removal of vehicles obstructing traffic.
6. Manage the Bacoor City Motorcyclist Safety Program.
7. Operate a smoke emission testing center by itself or in covenant with private entities subject to pertinent government regulations regarding the administering of smoke emission tests; and
8. Administer pedestrian districts or streets temporarily or permanently withdrawn from vehicular use, including time allocation for use of roads other than for vehicles.

E. Powers and Functions of the Bacoor Impounding and Towing Unit. The Bacoor Impounding and Towing Unit shall have the following powers and functions:

1. Administer, supervise, and manage all towing trucks and impounding areas owned, operated, or accredited by the city government through the BTMD.
2. Formulate guidelines on the accreditation of tow trucks owned by the private sector subject to the approval of the Head of the BTMD and of the City Mayor.

3. Enforce the provisions of this ordinance with regard the towing and impounding of illegally parked and/or stalled motor vehicles within the City of Bacoor.
4. Ensure the proper placement and construction of "NO PARKING ZONE" signs and other similar signs pertaining to parking and towing to make them visible to the public.
5. Make an inventory of all motor vehicles impounded or parked at all impounding areas owned or operated by the city government through the BTMD.
6. Be held accountable for all funds paid to the BITU by any violator of this Ordinance.
7. Manage and supervise all personnel assigned to the BITU.
8. Ensure the safety of all motor vehicles including all of their parts and accessories while in the custody of the BITU.
9. Educate the public on the policies of the BTMD with regard illegal parking and the towing of illegally parked and/or stalled vehicles; and
10. Administer all public areas temporarily declared as "no parking zones" by virtue of the order of the City Mayor or the Head of the BTMD, or by law or ordinance."

Section 18. Qualifications of the Department, Division, and Unit Head/s.— The BTMD shall be headed by **City Government Department Head I** who shall be appointed by the City Mayor and, pursuant to Local Budget Circular No. 61, Series of 1996, who shall be entitled to compensation corresponding to salary grade 25. He/she shall be a natural-born Filipino citizen, a resident of the City of Bacoor, at least 35 years of age, of good moral character, with sound probity, has not been convicted of any crime involving moral turpitude, a college graduate and trained in public administration, law, management, civil engineering, and/or traffic engineering and management.

The City Mayor shall appoint the head of the **Administrative and Operations Division**. The Division head must be a Filipino citizen, a resident of the City of Bacoor, at least 30 years of age, of good moral character, with sound probity, has not been convicted of any crime involving moral turpitude, a college graduate possessed of a baccalaureate degree in law, engineering, management, public administration, or any similar course, with at least two (2) years of relevant experience and at least eight (8) hours of relevant training and with a second level civil service eligibility at the the time of appointment. Pursuant to the cited Local Budget Circular, the Division Head shall be entitled to receive compensation corresponding to salary grade 18.

The head and personnel of the **Engineering and Planning Unit**, the **Enforcement and Management Unit**, and the **Bacoor Impounding and Towing Unit** shall be appointed by the City Mayor upon the recommendation of the Head of the BTMD. All of the persons to be appointed to the said positions by virtue of this provision must possess all the minimum qualifications for the said positions pursuant to relevant regulations and policies of the Civil Service Commission (CSC).

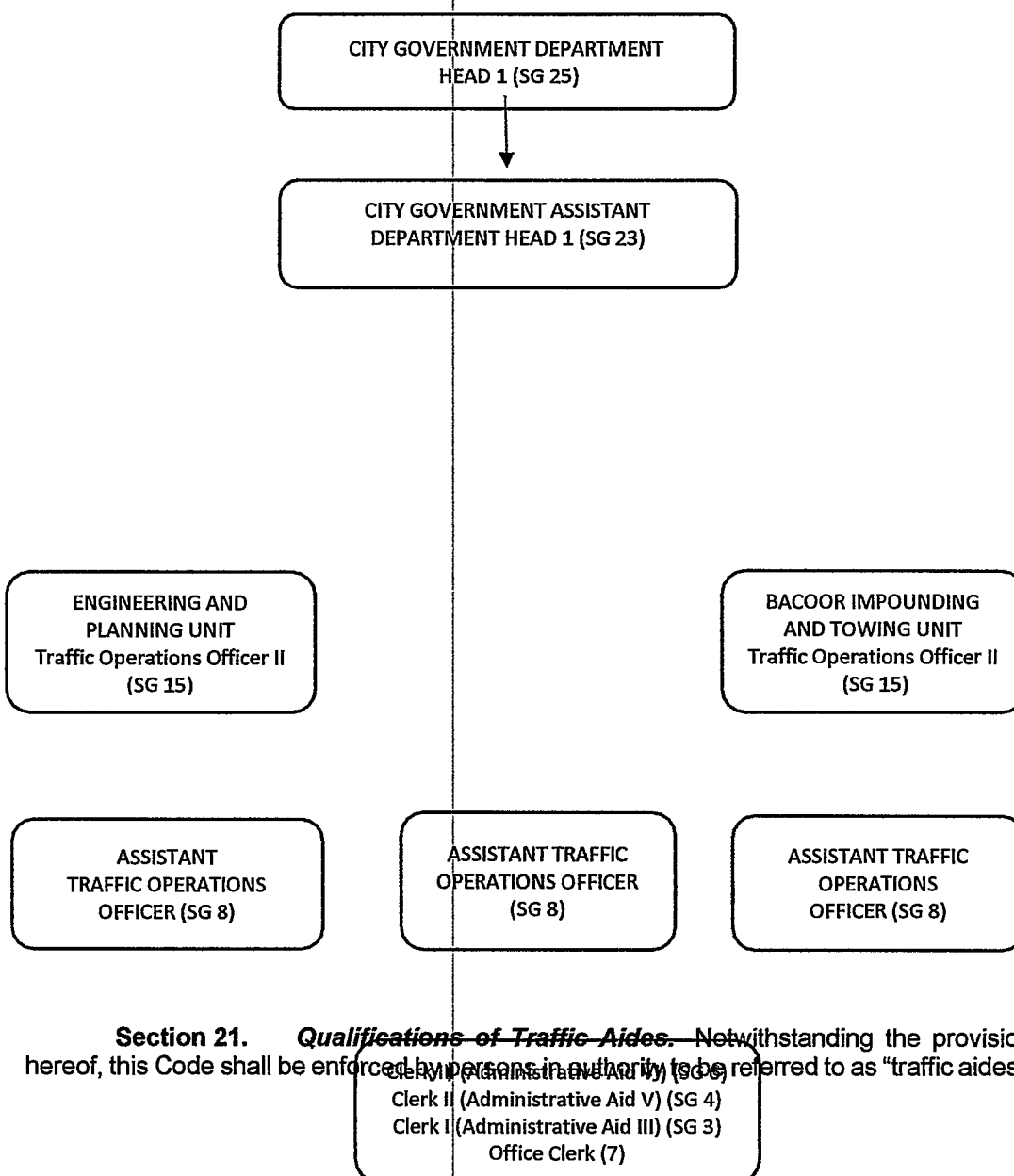
Section 19. Creation of Various Positions Under the BTMD. — The following positions under the BTMD are hereby created:

Position Title	No. of Positions Created	Salary Grade	Qualifications
City Government Department Head I	1	25	He/she shall be a natural-born Filipino citizen, a resident of the City of Bacoor, at least 35 years of age, of good moral character, with sound probity, has not been convicted of any crime involving moral turpitude, with Master's Degree or Certificate of Leadership and Management from Civil service Commission

			(CSC) and trained in public administration, law, management, civil engineering, traffic engineering and management, five (5) years of relevant experience in position/s involving management and supervision , one hundred twenty (120) hours of supervisory/management learning and development intervention undertaken within the last 5 years and with a second level civil service eligibility at the the time of appointment.
City Government Assistant Department Head I	1	23	He/she must be a Filipino citizen, a resident of the City of Bacoor, at least 30 years of age, of good moral character, with sound probity, has not been convicted of any crime involving moral turpitude, a college graduate possessed of a baccaulaureate degree in law, engineering, management, public administration, or any similar course, with at least three (3) years of relevant experience and at least sixteen (16) hours of relevant training and with a second level civil service eligibility at the the time of appointment.

Section 20. Revised Organizational Structure of the BTMD. In order to further improve the capabilities of the BTMD in responding to various challenges related to traffic management, and in view of the creation of the various positions mentioned in Section 19 hereof, the organizational structure of the BTMD shall be revised as follows:

**BACOOR TRAFFIC MANAGEMENT DEPARTMENT
Organizational Chart**



Section 21. Qualifications of Traffic Aides. Notwithstanding the provisions of Section 6 hereof, this Code shall be enforced by persons in authority to be referred to as "traffic aides". All traffic aides

under the employ of the city government shall be assigned to the BTMD and shall be appointed by the City Mayor upon the recommendation of the Traffic Operations Officer subject to civil service rules and regulations. The City Government shall only employ a traffic aide with the following qualifications:

- a) Must be of legal age and has graduated from high school;
- b) A registered voter of the City of Bacoor;
- c) Has not been previously convicted of any crime;
- d) Possesses a valid driver's license; and
- e) Willing to agree in writing to subject himself/herself to regular random drug and alcohol tests.

Traffic aides already employed by the City Government at the time of approval of this Ordinance who does not qualify with the foregoing shall be given one (1) year from the date of effectivity of this Code to obtain the necessary qualifications."

Section 22. Uniforms of Traffic Aides. - For proper distinction, the traffic aides shall wear a pocket-less uniform, which is different from the uniform or attire of the members of the Philippine National Police. The determination of the color and type of uniform shall be left to the discretion of the City Mayor, provided that no changes in the type, color or style of the uniform shall be allowed until after a period of three (3) years, reckoned from the date of the wearing of the prescribed uniforms was first implemented. Traffic aides shall also be equipped with body cameras pursuant to the provisions of the "Bacoor C.R.I.M.E.L.E.S.S. Ordinance" (i.e., City Ordinance No. CO 19-2016)."

Section 23. Powers and Responsibilities of Traffic Aides and Deputized Barangay Officials. Traffic aides and deputized barangay officials shall have the following powers and responsibilities:

23.1 Authority to Confiscate Licenses and to Conduct Field Sobriety Tests. - Only traffic aides shall have the authority to confiscate the driver's license and to conduct field sobriety tests against persons who violate any provision of this Code or of any ordinance, law or government regulation related to traffic management or road safety including those suspected of driving under the influence of alcohol or drugs. **Provided that:** only traffic aides and barangay officials duly trained to be drug recognition evaluators under RA 10586 or under this Ordinance who are equipped with breath analyzers shall be allowed to conduct the afore-mentioned field sobriety tests.

The traffic aide shall issue an Ordinance Violation Receipt (OVR) to the driver-offender, who shall remain at all times inside his/her vehicle at the time of apprehension. The said OVR shall authorize the apprehended driver to operate a motor vehicle only within the territorial jurisdiction of the City of Bacoor for a period not exceeding 72 hours or three (3) days from the date and time of issuance of the OVR.

The driver-offender shall, within 72 hours or three (3) days from the date of issuance of the OVR, redeem the confiscated license at the BTMD redemption office. Failure to pay the fine or settle his/her case for a period of one (1) month from the time of issuance, the Administrative Support Division of the BTMD will forward a request to the Land Transportation Office (LTO) to put an alarm to all unredeemed licenses.

23.2. Authority to Arrest. - While in the lawful exercise of their official functions, traffic aides and deputized barangay officials shall be considered agents of persons in authority and as such, they are hereby authorized to arrest any person who may have violated this Code in any of the following instances:

- a) if the driver or pedestrian refuses to obey a lawful order of a traffic aide and/or deputized barangay official and has endangered the safety of the public as a result;
- b) if the driver or any passenger of his driven vehicle threatens the life of a traffic aide and/or deputized barangay official or the life of his immediate family;
- c) if the driver or any passenger of his driven vehicle physically assaults a traffic aide and/or deputized barangay official while the latter is in the lawful exercise of his/her official functions or on the occasion of such exercise; or

- d) if the driver was found to be transporting illegal goods and merchandise or found to be carrying lawful goods and merchandise unlawfully obtained from the rightful owner.

A person who has been arrested under this provision shall be immediately turned over to the police authorities and shall be charged for criminal offenses penalized and defined under the Revised Penal Code, other pertinent laws, this Code, or other ordinances of the City of Bacoor.

23.3. Responsibilities in case of an Emergency. -In case of an emergency, traffic aides shall have the following responsibilities:

- a) Direct the flow of traffic in such a way that emergency vehicles and private vehicles responding to an emergency may pass through expeditiously;
- b) Remove any inanimate object that blocks the path of emergency vehicles or private vehicles responding to an emergency without causing any physical injury to himself or anybody else;
- c) Assist the driver of an emergency vehicle and/or a private vehicle responding to an emergency by any legal means possible; or

Preserve evidence present in the scene of the accident or incident in support of any criminal forensic investigation to be conducted by police authorities.

Section 24. Prohibition Against Unauthorized Traffic Operations.—Apart from the duly-appointed traffic aides and deputized barangay officials under this Code, all other traffic enforcement groups and agencies shall be prohibited from conducting traffic management-related operations within the City without first properly coordinating with the BTMD, which shall submit its recommendations to the City Mayor for approval.”

Section 25. Prohibition against the Collection of Bribes and Illegal Fees and/or Taxes from Drivers or Operators of All Types of Vehicles. -All fees and/or taxes being charged against operators and drivers of all types of vehicles by any agency, group, organization, or association including those being charged by the City Government or by any barangay within the City not falling within the purview of pertinent laws and government regulations are hereby declared illegal upon the effectivity of this Ordinance. Persons and entities found collecting such illegal fees and taxes shall be held liable to pay a fine of One Thousand Five Hundred Pesos (Php1,500.00) for every single act of collection. Traffic law enforcers, traffic law enforcement volunteers and government employees who accept, demand, collect, or receive bribes from any person or entity in return for any favor or special treatment in relation to the implementation of the Traffic Code, as well as related traffic laws or regulations, shall be held liable to pay a fine of Five Thousand Pesos (Php5,000.00) for each act of bribery.

The payment of fines shall be without prejudice to the filing of criminal and/or administrative charges against all violators hereof.

Section 26. Procedure in the Issuance of TVRs.— Traffic law enforcers of the BTMD and other government employees duly deputized by the LTO pursuant to Section 29 of Republic Act No. 4163 shall issue TVRs and confiscate the license of any driver who violates any of the provisions of RA 4163, in accordance with the LTO regulations issued pursuant thereto.

26.1. Any person found violating any provision of the Traffic Code shall be issued an OVR. The OVR shall be in triplicate copies - the first copy shall be given to the violator while the second and third copies shall be forwarded within twenty-four (24) hours to the Support Services Unit and Traffic Enforcement Unit of the of the BTMD, respectively.

26.2. The traffic law enforcer or traffic law enforcement officer shall demand presentation of the driver's license and the Certificate of Registration covering the motor vehicle. The apprehending officer shall then legibly indicate the following information in the TVR:

- (a) The name and address of the driver;
- (b) The driver's license number;
- (c) The date and place of issuance of the driver's license;
- (d) The name and address of the owner of the vehicle;
- (e) The vehicle's license plate number, model, and make;

- (f) The date, time, and place when the violation took place; and
- (g) The specific violation committed.

Section 27. Procedure in the Issuance of OVRs.— OVRs shall be issued by Traffic Law Enforcers and Traffic Law Enforcement Officers being supervised by the BTMD. OVRs may also be issued by members of the City Inspection and Compliance Unit (CICU) and any other enforcement officer authorized/deputized by the City Government of Bacoor. The following guidelines shall govern the issuance of OVRs:

27.1. Any person found violating any provision of any Ordinance of the City of Bacoor shall be issued an OVR by any authorized enforcement officer. The OVR shall be in triplicate copies - the first copy shall be given to the violator while the second and third copies shall be forwarded within twenty-four (24) hours to the Support Services Unit and Traffic Enforcement Unit of the of the BTMD, respectively.

27.2. The traffic law enforcer or traffic law enforcement officer shall demand presentation of the driver's license and the Certificate of Registration covering the motor vehicle. The apprehending officer shall then legibly indicate the following information in the TVR:

- (a) The name and address of the driver;
- (b) The driver's license number;
- (c) The date and place of issuance of the driver's license;
- (d) The name and address of the owner of the vehicle;
- (e) The vehicle's license plate number, model, and make;
- (f) The date, time, and place when the violation took place; and
- (g) The specific violation committed.

27.3. a) In case of structures found obstructing the flow of vehicle or pedestrian traffic on any public road, bridge, or sidewalk, the enforcement officer shall take pictures of the structure from various angles, and determine the name and address of the person/s who own or who constructed the said structure;

b) Unless the structure obviously appears to have been illegally constructed, the enforcement officer shall require the identified owner or the person who constructed the structure to produce the Building Permit for such structure. If the said person fails to comply, the enforcement officer shall issue him an OVR. In case the person presents a Building Permit covering such structure, the enforcement officer shall ask for a machine copy thereof. He shall thereafter prepare his written report indicating the full name/s and addresses of the identified owner or the person who constructed the structure, and the exact location of the said structure. The enforcement officer shall also attach thereto the pictures, the OVR duplicate copy if one was issued, or the machine copy of the Building Permit if one was presented;

c) In case the enforcement officer fails to determine the identity and whereabouts of the person/s who own or who constructed the said structure, he shall prepare a written report stating such fact, attaching thereto the pictures of the structure and submit the same to the Office of the Building Official;

d) Upon receipt of the report from the enforcement officer, the Building Official shall verify the validity of the Building Permit if one is attached to the report of the enforcement officer. Whether the Building Permit appears to be valid or spurious or where there is no Building Permit attached, the Building Official shall cause the immediate service of a Notice of Violation of the Building Code and direct the owner or the one responsible for the construction to demolish the structure within three (3) days from receipt of the Notice, at the expense of the said owner or person who constructed the structure.

e) In case of non-compliance or in case the identity and whereabouts of the owner or person who constructed the structure could not be ascertained, the Building Official shall determine the proper course of action, which shall include the date, time and manner of demolition of the structure. The Building Official shall then submit his report and recommendations to the City Mayor for approval;

f) The imposition of the penalty prescribed by the violated Ordinance shall be without prejudice to the filing of criminal and/or administrative complaints, if warranted.

27.4. For pedestrians found violating this Ordinance, the enforcement officer shall issue them an OVR and direct them to pay the imposed fine directly to the Office of the City Treasurer within the period prescribed for the violation. If no period is specified, the payment of fines shall be within three (3) days

from issuance of the OVR. If the violator fails to comply, the BTMD shall cause the filing of proper complaints before the Office of the City Prosecutor for the City of Bacoor.

27.5 The City Mayor is hereby authorized to enter into and sign a Memorandum of Agreement with the LTO that will authorize the withholding of the renewal of drivers' licenses and the deferment of the registration of vehicles in case the driver/vehicle owner was found to have violated the Bacoor City Traffic Code and thereafter failed to pay the fines imposed pursuant thereto. The renewal of the driver's license and/or the registration of the vehicle shall only be processed after the offender shall have paid the fine and the fee for the clearance form to be issued by the BTMD.

Section 28. Incident Reports. - The Traffic Law Enforcer or the Traffic Law Enforcement Volunteer who witnesses or who was tasked to investigate traffic-related incidents resulting to injury and/or damage to persons or property, shall prepare an incident report within the same day when the said incident occurs. The person/s involved shall be furnished with a copy of such report and the same shall be made available to authorities and concerned entities upon request.

Section 29. Removal of Illegal or Unauthorized Structures on Public Roads, Sidewalks, Bridges, or Parks.- The following procedures shall be observed by the BTMD, its personnel, and by deputized barangay officials in the removal of illegal or unauthorized structures on public roads, sidewalks, bridges, parks and other thoroughfares within the City:

- a) In case of structures found obstructing the flow of vehicle or pedestrian traffic on any public road, bridge, or sidewalk within the City of Bacoor, the traffic aide or deputized barangay official shall take pictures of the structure from various angles, and determine the name and address of the person/s who own or who constructed the said structure;
- b) Unless the structure obviously appears to have been illegally constructed, the traffic aide or deputized barangay official shall require the identified owner or the person who constructed the structure to produce the Building Permit for such structure. If the said person fails to comply, the law enforcement officer shall issue him an OVR. In case the person presents a Building Permit covering such structure, the law enforcement officer shall ask for a machine copy or take a picture thereof using a cellular phone. He/she shall thereafter prepare his/her written report indicating the full name/s and addresses of the identified owner or the person who constructed the structure, and the exact location of the said structure. The law enforcement officer shall also attach thereto the pictures, the OVR duplicate copy if one was issued, or the machine copy of the Building Permit if one was presented;
- c) In case the traffic aide or deputized barangay official fails to determine the identity and whereabouts of the person/s who own or who constructed the said structure, he/she shall prepare a written report stating such fact, attaching thereto the pictures of the structure and submit the same to the Office of the Building Official;
- d) Upon receipt of the report from the law enforcement officer, the Building Official shall verify the validity of the Building Permit if one is attached to the report of the law enforcement officer concerned. Whether the Building Permit appears to be valid or spurious or where there is no Building Permit attached, the Building Official shall cause the immediate service of a Notice of Violation of the Building Code and direct the owner or the one responsible for the construction to demolish the structure within three (3) days from receipt of the Notice, at the expense of the said owner or person who constructed the structure;
- e) In case of non-compliance or in case the identity and whereabouts of the owner or person who constructed the structure could not be ascertained, the Building Official shall determine the proper course of action, which shall include the date, time and manner of demolition of the structure. The Building Official shall then submit his report and recommendations to the City Mayor for approval; and
- f) The imposition of the penalty prescribed by the violated Ordinance shall be without prejudice to the filing of criminal and/or administrative complaints, if warranted.

ARTICLE 4. Franchises

Section 30. Grant of Franchises by the Sangguniang Panlungsod. – Pursuant to Section 458, par. 3 (vi) of Republic Act No. 7160, the Sangguniang Panlungsod shall approve all applications for new franchises submitted by operators of public utility tricycles (to be referred to as the “**Motorized Tricycle Operator’s Permit**” or “**MTOP**”), e-tricycles (to be referred to as the “**Electronic Tricycle Operator’s Permit**” or “**ETOP**) and pedicabs (“**Pedicab Operator’s Permit**” or “**POP**”) in the City of Bacoor.

Section 31. Procedure for Grant of New Franchises. – All operators of public utility tricycles, e-tricycles and pedicabs (to be collectively referred to as “**Public Utility Tricycles**” or “**PUT**”) exclusively operating within the City of Bacoor shall be required to secure a legitimate franchise for the approved route where they intend to operate subject to the following procedures:

- 1) The applicant shall obtain an application form from the BTMD;
- 2) The following documents shall be attached to the duly accomplished application form and shall be submitted to the BTMD by the applicant:
 - a. Certification of Registration (CR) and current Official Receipt (OR) covering the motorized tricycle. **Provided that:** if the license plate number of the motorized tricycle is not available, a valid authorization from the LTO must be submitted by the applicant;
 - b. Voter’s Identification Card of the applicant or Certification from the Office of the City Election Officer that he/she is a registered voter of the City of Bacoor. **Provided that:** applicants that are in active service in the Philippine military, Philippine National Police, or the Bureau of Jail Management and Penology, those employed as public school teachers, or overseas Filipino workers are exempted from complying with this requirement;
 - c. Copy of the driver’s license (Code 1 & 2) in the case of motorized tricycles;
 - d. Original copy of the drug test results of the authorized driver of the PUT issued within ;
 - e. Original copy of the local TODA Clearance signed by the President of the TODA concerned;
 - f. Original copy of the TODA Federation Clearance signed by the President of the Federation TODA concerned;
 - g. Inspection Report of the PUT signed by a TODA officer; and
 - h. Barangay Clearance issued by the punong barangay of the barangay where the applicant resides.

Provided that: the issuance of ETOPs and POPs is subject to the recommendation of the BTMD which in turn shall be based on the route measuring capacity of a particular route, the exigencies of public safety and order, and the interests of the riding public in general. **No ETOPs or POPs shall be issued unless it is recommended by the BTMD to the Sangguniang Panlungsod.**

3) The BTMD shall have one (1) working day to review the application and to submit its written recommendation/s to the Sangguniang Panlungsod. The written recommendation of the BTMD shall be referred by the Presiding Officer of the Sangguniang Panlungsod to the Committee on Government Enterprises, Privatization, and Public Franchises (the “Committee”);

4) The Committee shall have seven (7) working days to either grant or disapprove the application. However, no application shall be approved or disapproved without the requisite public hearing to be conducted by the Committee. The said hearing shall be attended by the Traffic Operations Officer of the BTMD, or by his authorized representative, and by the applicant or by his/her duly authorized representative;

5) If the Committee decides to **disapprove** the application, it shall submit a committee report to the Sangguniang Panlungsod containing its recommendation on the application for deliberations by the Sanggunian en banc. In which case, the SP Secretary shall inform the applicant in writing about the decision of the Committee. A copy of the committee report shall be attached to the said letter. In case the Committee **approves** the application, the Sangguniang Panlungsod en banc shall deliberate on the recommendation of the Committee;

6) A simple majority of the Sangguniang Panlungsod shall have the power to either approve or disapprove the recommendation/s of the Committee within seven (7) working days after the report is calendared for second reading. In case majority of the Sanggunian members decides to **disapprove** the recommendations of the Committee, the SP Secretary shall inform the applicant in writing about the decision of the Sanggunian en banc. A copy of the Resolution disapproving the recommendations of the Committee shall be attached to the said letter;

7) In case the Sanggunian en banc **approves** the recommendation of the Committee, the Sangguniang Panlungsod Secretary shall transmit the Resolution containing the decision of the Sangguniang Panlungsod to approve the application to the City Mayor within three (3) working days after it has been approved;

8) The City Mayor shall have ten (10) working days to either approve or veto the Resolution. In case the City Mayor fails to either approve or veto the Resolution within the period aforesated, the resolution shall be deemed approved;

9) In case the City Mayor **veto**s the Resolution, the Sangguniang Panlungsod Secretary shall inform the applicant in writing as to the decision of the City Mayor. A copy of the Resolution and of the veto message of the City Mayor shall be attached to the said letter. In case the City Mayor **approves** the Resolution, or **fails to act on the same within ten (10) days** after his/her office receives the Resolution, the SP Secretary shall transmit a copy of the Resolution to the BTMD within two (2) working days after receipt of the Resolution duly signed by the City Mayor or after the Resolution has been deemed approved; and

10) The BTMD shall issue a franchise in favor of the applicant within two (2) working days after receipt of a copy of the Resolution approving the application.

Section 32. Procedures for the Renewal of Franchise. The procedures for the renewal of an existing franchise are as follows:

1) The applicant must secure an application form with the BTMD and submit the following documents after the form has been completely accomplished:

- a) Certification of Registration (CR) and current Official Receipt (OR) covering the motorized tricycle. **Provided that:** if the license plate number of the motorized tricycle is not available, a valid authorization from the LTO must be submitted by the applicant;
- b) Voter's Identification Card of the applicant or Certification from the Office of the City Election Officer that he/she is a registered voter of the City of Bacoor. **Provided that:** applicants that are in active service in the Philippine military, Philippine National Police, or the Bureau of Jail Management and Penology, those employed as public school teachers, or overseas Filipino workers are exempted from complying with this requirement;
- c) Copy of the driver's license (Code 1 & 2) in the case of motorized tricycles;
- d) Original copy of the latest drug test results of the authorized driver of the PUT issued within;
- e) Original copy of the local TODA Clearance signed by the President of the TODA concerned;
- f) Original copy of the TODA Federation Clearance signed by the President of the Federation TODA concerned;
- g) Inspection Report of the PUT signed by a TODA officer;
- h) Barangay Clearance issued by the punong barangay of the barangay where the applicant resides; and
- i) Photocopy of the MTOP, ETOP, or POP to be renewed.

Provided that: the renewal of a MTOP is based on the last digit appearing in the license plate or temporary plate issued by the LTO for the motorized tricycle. The MTOP may be renewed one (1) month before the date when the registration of the motorized tricycle is supposed to be renewed with the LTO.

2) The BTMD shall either approve or disapprove the application within one (1) working day. In case the BTMD approves the application, the Certificate of Franchise shall be prepared on the same day and transmitted for signing not later than the following working day. In case the application is disapproved, the applicant shall be informed by the BTMD as to why his application was disapproved on the same day that the application was submitted.

Section 33. Procedures for the Transfer of an Existing Franchise.- The following procedures shall be followed in case the owner of an existing franchise wishes to sell, transfer, or donate the public utility tricycle or pedicab subject of an existing franchise:

1) The buyer, transferee, or donee shall get an application form from the BTMD and submit the following documents to the BTMD together with the duly accomplished form:

- a) Original and duly notarized copy of a deed of sale of motor vehicle, deed of extrajudicial settlement of estate, deed of donation, or any other similar legal document evidencing the transfer of ownership of the public utility tricycle or pedicab subject of an existing franchise from the original franchise holder in favor of the applicant;
- b) Original copy of the existing franchise;
- c) Copy of the driver's license and drug test result of the authorized driver;
- d) TODA Clearance signed by the President of the TODA concerned; and
- e) Barangay Clearance issued by the punong barangay of the barangay where the applicant.

2) The BTMD shall either approve or disapprove the application within three (3) working days. In case the BTMD approves the application, a new Certificate of Franchise shall be prepared on the same day and transmitted for signing not later than the following working day. The franchise granted in favor of the former owner of the tricycle or pedicab subject of the franchise shall then be cancelled. In case the application is disapproved, the applicant shall be informed by the BTMD as to why his application was disapproved not later than on the third working day after the application was submitted.

Section 34. Procedures for the Dropping of a Franchise. – In case a public utility tricycle or pedicab covered by a valid franchise will no longer be used as a public utility vehicle, the owner of the said vehicle must apply for the "dropping" of the said franchise with the BTMD in order to revert the said vehicle to private use subject to the following procedures:

- a. The registered owner of the PUT must submit a duly notarized Affidavit to Drop Franchise, or any similar legal document, a copy of the subsisting franchise issued in his favor and a duly accomplished dropping form to the BTMD;
- b. The BTMD shall review the afore-mentioned documents and decide on the same day when the dropping form was submitted whether or not to approve the said application."

Section 35. Physical Requirements and Equipment for Grant of Franchise. – No public utility tricycle or pedicab shall be issued a franchise unless the following requirements are complied with by the applicant, to wit:

- a) Clean windshields unobstructed by any tint, sticker, paint, or any other material that hinders direct sight inside the confines of the vehicle;
- b) Garbage receptacle/s located inside the vehicle near the passenger seat;
- c) All electronic accessories of the public utility tricycle should functioning such as [1] functioning horn that does not emit an exceptionally loud, vulgar or startling sound. [2] two (2) functioning signal lights located at the front and back of the vehicle for turning right or left or for emergency purposes, [3] working tail lights, brake lights, and license plate light, [4] white or yellowish head lights in front and red tail light with functioning stop light in the rear, visible at least 50 meters from the front and rear of the vehicle and functioning under all weather conditions and lighted starting at 6:00 pm until 6:00 am, or whenever practicable and necessary, [5] other accessories as may be mandated by law or ordinance. **Provided, however,** that this provision shall not apply to public utility pedicabs;
- d) Sticker containing the body number of the vehicle placed prominently on the front, rear, and on the roof of the vehicle to be identifiable from a distance. The design and manner of placement of the said sticker shall be approved by the Board subject to approval by the Sangguniang Panlungsod;
- e) Fully operating mufflers of the public utility tricycle/s subject of the application; and
- f) Over-all roadworthiness of the public utility tricycle or pedicab.

Any franchise issued in violation of the foregoing is deemed void and may be summarily revoked by the City Mayor."

Section 36. Grounds for Disapproval of an Application for Franchise. – Any of the following grounds may be used by the Sangguniang Panlungsod in disapproving an application for franchise:

- a. Submission of falsified supporting documents by the applicant;
- b. Approving the application shall adversely affect the route measuring capacity of the route intended to be serviced by the applicant as determined by the BTMD;
- c. The public utility vehicle subject of the application is not road worthy;
- d. The driver's license of the applicant (if he/she would also be the one to operate the public utility tricycle subject of the application) has been suspended or revoked by the Land Transportation Office for whatever reason;
- e. The various documents submitted by the applicant in support of his application were no longer valid at the time of their submission;
- f. The applicant has a history of violating the terms and conditions of a previous franchise granted to him/her by the city government;
- g. The applicant violated any provision of Section 27 hereof on the Physical Requirements and Equipment for Grant of Franchise;
- h. Any other ground as may be provided by law or ordinance; or
- i. Any other ground analogous to the afore-mentioned grounds.”

Section 37. Terms and Conditions of the Franchise. – The continued validity of a franchise issued under this Code shall be subject to the compliance of a franchise holder to the following terms and conditions:

- 1) A MTOP shall only be valid for one year. The period of validity of the MTOP shall be counted from the month when the LTO registration of the PUT subject of the said franchise is due to expire and **not** on the date when the MTOP was issued. An operator whose franchise has been cancelled for failing to renew the MTOP issued to him/her before it expired shall have to apply for a new franchise and **not** for the renewal of the old franchise;
- 2) The franchise is not transferrable. The buyer of a PUT already covered by an existing franchise shall apply for a new franchise;
- 3) The franchise covers only the PUT specifically described therein. Any change in such description shall cause the cancellation of the existing franchise and a new franchise shall be required for its valid operation;
- 4) The PUT covered by the franchise shall only ply the route designated therein. The passenger/s shall be brought to the desired destination within the area covered by the franchise or transported to another place outside such area but only if the said PUT is covered by a special permit;
- 5) The franchise holder shall only employ drivers holding a valid Professional Driver's License with at least Restriction Code No. 1 issued by the LTO;
- 6) The franchise holder and his authorized driver shall always warrant the serviceability of the PUT, which shall be regularly registered in accordance with LTO rules;
- 7) The franchise holder and his authorized driver shall always comply with the national laws and city ordinances, including traffic rules and regulations, and shall exact only the passenger fares prescribed by the Sangguniang Panlungsod;
- 8) Any violation committed by the driver may constitute a ground for cancellation and revocation of the franchise or payment of penalties or both as maybe determined by the Sangguniang Panlungsod;
- 9) The registered owner or the franchise holder may be held civilly liable with the negligent driver either 1) subsidiarily, if the aggrieved party seeks relief based on a delict or crime under Articles 100 and 103 of the Revised Penal Code; or 2) solidarily, if the complainant seeks relief based on a quasi-delict under Articles 2176 and 2180 of the Civil Code;
- 10) The franchise shall not be renewed if the PUT is not in good running condition or if it does not pass the criteria for inspection set by the Sangguniang Panlungsod;
- 11) Non-renewal of the franchise shall mean automatic cancellation thereof without prior notice;

12) The franchise shall be subject to all Resolutions, Ordinances, and Executive Orders that the Sangguniang Panlungsod and the City Mayor, respectively, may enact in the future;

13) Any false statement made in the application of the franchise shall be a cause for its denial, cancellation or revocation; and

14) The franchise is only a privilege given to the holder and maybe cancelled or revoked anytime upon due notice and at the discretion of the Sangguniang Panlungsod upon the recommendation of the BTMD."

Section 38. Conditions for Grant of E-Strike Franchise. The Sangguniang Panlungsod shall grant special franchises to environmentally sound tricycles (E-STRIKES) based on the strict compliance of applicants to the following conditions:

a) The applicant must submit the following documents to the BTMD together with a fully accomplished application form:

1. Proof of ownership of the e-tricycle under the name of the applicant;
2. Barangay Clearance from the barangay where the applicant resides;
3. Results of the latest drug test of the applicant and of the driver of the E-STRIKE; and
4. Valid professional driver's license of the applicant and of the driver of the E-STRIKE.

b) The E-STRIKE must not be operated on any national road;

c) The E-STRIKE must not be powered by either diesel or gasoline;

d) The E-STRIKE must not emit any smoke;

e) The E-STRIKE must not emit any inordinately loud noise while being operated apart from the sound emitted by its horn/s;

f) The E-STRIKE must be equipped with batteries that are safe, environmentally friendly and energy efficient;

g) The design of the E-STRIKE must promote the safety of its passengers and of other road users; and

h) The applicant must be willing to comply with various additional regulations that may be imposed by the government either by way of a law or ordinance."

Section 39. Color-Coding/Penalties. - To help prevent PUTs from operating outside their designated routes within the City of Bacoor, the Sangguniang Panlungsod is hereby empowering the BTMD to designate a common body paint color for all units plying the same route. PUT operators or their authorized driver/s found violating this provision either by operating their driven vehicles (a) without the proper body paint color, or (b) outside their designated routes shall be apprehended and shall be meted with the following penalties:

First Offense: Payment of fine amounting to Five Hundred Pesos (Php 500.00).

Second Offense: Payment of fine amounting to One Thousand Pesos (1,000.00).

Third Offense: Cancellation of franchise.

Provided that: Tricycles used for private purposes that are not covered by a franchise under this Code are exempted from this provision."

Section 40. Franchise Fees. –The following fees shall be paid by all franchise applicants for tricycles, E-STRIKES, or pedicabs with the City Treasury's Office before the grant of a new franchise or the renewal, transfer, or dropping of an existing franchise, to wit:

Nature	Amount
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Application Fee (for new franchise)	Php2,000.00
Annual Renewal Fee	Php1,200.00
Dropping Fee	Php500.00
Change of Motor (for tricycles only)	Php500.00
Special Permit Fee	Php1,200.00

ARTICLE 5.
Transport Terminals

Section 41. Public Transport Terminals. No transport organization shall be allowed to operate a transport terminal within the City of Bacoor unless they secure the following permits/clearances from the following offices/officers:

Permit/Clearance	Issuing Office/Official
Zoning Clearance	Zoning and Land Development Office
Building Permit	Office of the Building Official
Environmental Compliance Certificate (or Exemption Certificate)	CENRO
Locational Clearance	Zoning and Land Development Office
Permit to Operate	BTMD
Mayor's Permit	Mayor's Office
Barangay Clearance	Punong Barangay

The Sangguniang Panlungsod shall determine the location and the terminal fees to be imposed on members of the transport organization/s using the facility. The BTMD, Office of the Building Official, and City Health Office shall periodically inspect all transport terminals within the City of Bacoor to ensure the safety of the general public and determine the compliance of the operators of the said terminals with the various provisions of this Code.

Section 42. Requirement for Establishment of Public Transport Terminal.- Prior to the commencement of the construction of a public transport terminal, a public hearing must be held thereon. Notices regarding the said public hearing shall be published in local newspapers of general circulation and/or posted in at least four conspicuous and publicly-accessible places within the City of Bacoor including the main entrance of the City Hall.

Section 43. Authority to Develop Central City Terminal; Use of Public Transport Terminal Not Compulsory. The Office of the City Mayor is hereby empowered to study the feasibility of constructing a Central City Terminal for the City of Bacoor subject to compliance with the various provisions of this Code and to various pertinent ordinances and laws. **Provided that:** notwithstanding the possible future construction of the said government facility, transport operators already using privately owned and operated terminals as of July 30, 2019 shall not be compelled to use the Central City Terminal."

Section 44. Non-Closure of Private Terminals. - Except in cases where any of the provisions of this Ordinance or any pertinent ordinance or law is violated, the City Government shall not close down existing private terminals or curtail the operation of said terminals for the purpose of compelling the use of the public transport terminals established by virtue hereof.

Section 45. Compliance with LTFRB Standards by All Transport Terminals. -The standards set by the LTFRB as prescribed in its Memorandum Circular No. 2008-013 dated June 4, 2008, or any amendment thereto, must be complied with by operators of all public and private transport terminals, to wit:

1. Adequate and comfortable benches or seats with backrests for waiting passengers;
2. Roofing that would provide sufficient shelter for passengers;
3. Information and Passenger Assistance Counters;

4. Appropriate and adequate signage informing passengers of the routes being serviced by the terminal;
5. Sufficient number of security personnel to ensure the protection of passengers from abusive vendors, pickpockets and other lawless elements and for the proper inspection of baggage;
6. Clean, secure, well-lighted and well-ventilated toilets for men and women; and
7. Diaper-changing tables inside the female restrooms for female passengers travelling with infants.

Section 46. Additional Standards for Inter-Modal Transport Terminals. - Operators of inter-modal transport terminals shall strictly observe the following standards:

1. Concrete pavement and flooring;
2. Wide entrances and exits for easy access and mobility to and from the terminal;
3. Provision for communication facilities such as telephone, fax machine and internet connection;
4. Installation of Public-Address System Facilities and CCTV cameras or monitors in strategic places within the terminal;
5. Distinct rest rooms for male and female and disabled passengers, which must at all times be clean, sufficiently lighted, free from foul odors, properly ventilated, with dry flooring, must have separate toilet cubicles with door locks, toilet seats equipped with cover and flush system, must have a functional lavatory sink with clean running water, must have a mirror and also a waste bin that is emptied and cleaned regularly or whenever necessary, must have sufficient supplies such as toilet paper, soap dispenser with soap as well as a hand dryer, and finally, with a sufficient number of sanitation and maintenance personnel; and
6. Provision for separate and sufficient parking lots or spaces for each mode of transport utilizing the inter-modal transport terminal.

Section 47. Locational Standards for all Transport Terminals. - All transport terminals within the City shall, whenever possible, adhere to the following locational standards provided under the HLURB's Locational Guidelines and Standards for Land Transportation Terminals pursuant to Board Resolution No. R-408, series of 1998, or any amendment thereto, to wit:

- a) Terminals should be more than 100 meters away from institutional establishments particularly schools and hospitals;
- b) The terminals must be accessible to commuters such that transfer routes are available or within its radius. However, direct access to major thoroughfares, especially high-speed highways and expressways should be discouraged for safety and smooth traffic flow purposes;
- c) The City's Zoning Ordinance should indicate the location of bus station/terminals, freight/truck terminals that should be at the periphery of a commercial zone;
- d) Jeepney/taxi terminals may be located within the central business district or commercial zone of the City. Provided that such location should not be on a major road intersection; and
- e) Garages of buses and other vehicles must be located at the outskirts of the business center or commercial zone.

Section 48. Compliance Period. - Existing transport terminals not in compliance with the aforementioned standards shall be given a period of one (1) year from the date of effectivity of this Ordinance within which to implement and fully comply with the policies, standards and limitations set forth above.

Section 49. Liability of Persons Operating Illegal Terminals. - Any terminal that fails to comply with any provisions of this Ordinance are deemed illegal terminals. Any person operating the said illegal terminals, including persons who call or encourage passengers to patronize such terminals more commonly known as "barkers", shall be held liable to pay a fine of Two Thousand Five Hundred Pesos (Php2,500.00) plus imprisonment not to exceed thirty (30) days.

Section 50. Terminal Fees. -A terminal fee of Five Thousand Pesos (Php5,000.00) shall be paid to the Office of the City Treasurer by operators of privately-owned terminals located within the City of Bacoor on or before the 30th day of every month of January following the date of effectivity of this Ordinance.

ARTICLE 6.

Transport Organizations and Routes

Section 51. Accreditation of Transport Organizations.— All transport organizations operating within the City of Bacoor shall be required to submit the following to the BTMD:

- a) duly accomplished Application for Accreditation;
- b) proof of legal registration with the SEC for associations or with the CDA for cooperatives;
- c) legitimate franchise decision from the LTFRB and/or a locally issued franchise; and
- d) Mayor's Permit.

The BCTFB shall evaluate the applications and endorse compliant transport organizations to the Sangguniang Panlungsod for approval of accreditation.

Only transport organizations that have been duly accredited shall have the right to own and/or use a transport terminal and/or operate PUVs within the City of Bacoor.

Section 52. Operating Conditions.— To lawfully operate PUVs within the City of Bacoor, accredited transport organizations shall be required to first secure clearances for the road worthiness of their vehicles. The road worthiness test shall include, among others, a smoke emission test to be administered by the Facilities Management Unit of the BTMD. Additionally, the transport organizations shall likewise be required to obtain from the Support Services Unit of the BTMD Route Stickers which shall be conspicuously attached to each vehicle.

Section 53. Designation of Routes. - The Sangguniang Panlungsod shall designate specific route/s for each accredited transport organization. In determining such route/s, the Sanggunian shall obtain the recommendations of the BTMD and take particular consideration of the number of potential passengers and the number of PUVs that shall be assigned thereto; the number of PUVs that the said route can accommodate; the economic viability of allowing a given number of PUVs to ply the said routes; the location of the said routes and the effect thereof to the flow of traffic; and any pertinent rules or regulations that may be imposed by the LTO, LTFRB, or any other government agency.

If there are two (2) or more transport organizations applying for accreditation for a specific route, the Sangguniang Panlungsod shall decide on the matter taking into consideration the total number of duly registered vehicles associated with the transport organization and the latter's compliance with the requirements prescribed for accreditation and the recommendations of the BTMD. Transport cooperatives shall be accorded with preferential right to service a specific route and to manage transport terminals."

Section 54. Route Modification and Additional Operating Units. – Accredited transport organizations that intend to apply for route modification or apply for additional franchise units shall first secure an endorsement from the City Mayor and submit the same to the BTMD, which shall conduct an Route Measurement Capacity (RMC) study to determine the feasibility of the proposed modification or the request for additional franchise units. BTMD shall then transmit the results of the said study to the Sangguniang Panlungsod, which shall either grant or disapprove the proposed route modification or the request for additional franchise units based on the results of the said RMC study and the applicant's compliance with the Traffic Code and other pertinent laws. The BTMD shall endorse approved requests to the DOTr and the LTFRB for processing and approval. Operating a PUV outside its approved route or in excess of the approved number of units of a particular transport organization shall be unlawful.

Section 55. Developmental Route.— Transport organizations may propose to the BTMD the opening of developmental routes within the city limits based on justifications that such proposed route/s shall redound to the benefit of the local economy, shall not endanger the safety or convenience of the general public, and does not contravene the Traffic Code or any other pertinent law. The BTMD shall forthwith conduct an RMC study and transmit its findings and recommendations to the Sangguniang Panlungsod for its evaluation. If the Sangguniang Panlungsod finds merit in the opening of the proposed developmental routes, it shall submit its own recommendations to the DOTr and the LTFRB for assessment, processing and approval, furnishing a copy thereof to the City Mayor.

ARTICLE 7.
The BTMD Trust Fund

Section 56. Creation of the Bacoor Traffic Management Trust Fund. There is hereby created a Bacoor Traffic Development Trust Fund generated from all receipts from franchising, supervisory and regulatory fees, fines, and surcharges set forth in this Ordinance, including parking charges, terminal fees, towing fees, and similar imposition for specific services rendered.

All payments, collections, and interest earnings of the said Trust Fund shall be directly remitted to the Office of the City Treasurer and the City Accountant shall keep and maintain a special account therefor. All records related thereto shall likewise be in the custody of the City Accountant.

The following incentives to be taken from all the collected fines, fees, surcharges, and interest earnings of the Trust Fund, shall be given to the following at the end of each quarter:

- a) Five per cent (5%) to the Traffic Aide/s who did the apprehension to be deemed as additional compensation on top of whatever bonuses or other emoluments that they may receive from the city government;
- b) Five per cent (5%) to the barangay/s that implemented the various provisions of the Traffic Code pertaining to the prohibition against jaywalking, illegal parking, illegal terminals, and the removal of illegal structures on all public roads, sidewalks, bridges, parks, and other public areas within the City of Bacoor.
- c) Twenty percent (20%) of the total accumulated amount in the Trust Fund is to be shared equally by all the Units under the BTMD before the end of the fiscal year subject to compliance with all relevant government rules and policies.
- d) The remaining seventy percent (70%) of the Trust Fund shall be recorded in and reverted to the General Fund and may be disbursed for purposes as may be defined by the local chief executive or in accordance with the usual rules and regulations for disbursement of the General Fund. Provided further that before the end of every Fiscal Quarter, any unutilized collection or funds in the Trust Fund allocated to traffic aides, barangays, and the BTMD in accordance with Section 56.a, 56.b, and 56.c of the Traffic Code, shall be recorded in and reverted to the General Fund.

ARTICLE 8.
Special Permits

Section 57. Special Permits. A special permit shall only remain valid for one (1) year following its date of issuance and can only be renewed within thirty (30) days after it has expired. It is issued in favor of operators of tricycles or E-STRIKES not residing within the City of Bacoor who holds a valid franchise from another local government unit adjoining the City of Bacoor. A holder of a special permit validly issued under this Code may ferry passengers from outside of the City without being made criminally liable for violation of the pertinent provisions of this Code. **Provided that:** the driver operating the tricycle or e-tricycle subject of the special permit must comply with the pertinent provisions of this Code while within the territorial jurisdiction of the City of Bacoor so as not to be held liable under the provisions hereof. **Provided further that:** only the residents of other LGUs adjoining the City of Bacoor who allow Bacoor City residents to avail special permits within their jurisdiction shall be qualified to avail of the benefits under this provision. **Provided, moreover that:** applicants for a special permit shall be required to submit the same set of documents and pay the same fees required from Bacoor City residents by the LGU where the applicant resides in.

Section 58. Procedures for Grant of Special Permit. In order to have an application for special permit granted, the applicant must comply with the following:

- (a) **Submission of all the documents** mentioned in Section 31 to the BTMD at the Bacoor City Hall;
- (b) **Assessment of the various documents** submitted to the BTMD within 24 hours after submission. If all the documents are in order, the applicant may proceed to the next step. If some of the documents are not in order, the application shall be disapproved within the same 24-hour period after the documents were submitted;
- (c) **Issuance of Special Permit Form** by the BTMD within 30 minutes after show of proof of payment of the Special Permit Fee by the applicant;
- (d) **Final review and data encoding** of the Special Permit Form and other documents submitted by the BTMD within 24 hours after the issuance of the Special Permit Form. If the final review reveals that the applicant submitted false or spurious documents or information or if the database of the BTMD reveals that the number of tricycles or e-tricycles operating within the route where the tricycle or e-tricycle unit is to be operated already exceeds the Route Measurement Capacity of the said route, the application shall be denied and the special permit fee paid shall be forfeited in favor of the city government;
- (e) **Approval of application** by the City Mayor within 24 hours after receipt of the Office of the Mayor of the recommendation of approval from the BTMD; and
- (f) **Release of Special Permit** within business hours on the same day that the approval of the application was granted. If the approval was made after office hours, the special permit shall be released on the next working day.

ARTICLE 9.

Public Utility Tricycles, E-Strikes, and Pedicabs

Section 59. Tricycle, E-Strike, and Pedicab Fares. – The minimum fare to be charged by all drivers of all PUTs granted a franchise under this Code, or under other pertinent city ordinances, shall be determined by the Sangguniang Panlungsod based on the recommendation of the BTMD. Any member of the public may request the Sanggunian in writing to increase or decrease the minimum fares of all PUTs operating within the City of Bacoor. The minimum fares of PUTs shall not be adjusted by the Sangguniang Panlungsod unless it has conducted a public hearing attended by representatives of operators and drivers of PUTs, officers of various homeowners associations, and officers of various parents-teachers associations (PTA) in the City of Bacoor. After the said public hearing, the Sanggunian may adjust the minimum fares by way of a separate ordinance. **Provided that:** the minimum fares already in effect as of July 30, 2019 in the City of Bacoor as determined by the Sangguniang Panlungsod shall remain in effect unless adjusted by the Sangguniang Panlungsod by way of a new ordinance.

Section 60. Fares for Special Trips. – Within sixty (60) days from the date of effectivity of this Code, the BTMD shall submit a fare matrix for special trips to the Sangguniang Panlungsod for the consideration of its members. The practice of tricycle or pedicab drivers of charging higher fares from passengers travelling alone from transport terminals to any point within the City of Bacoor who agree to pay for the fares of other passengers colloquially referred to as "special trips" shall be strictly regulated by way of a separate ordinance to be passed by the Sangguniang Panlungsod.

Section 61. Ban Against Overloading of Cargo and Passengers. – The overloading of pedicabs or tricycles with passengers or cargo shall be strictly prohibited. A tricycle shall be deemed overloaded with passengers if it carries more than three (3) adult passengers aside from the driver. A tricycle shall be deemed overloaded under any of the following circumstances: (a) if the length of the cargo loaded exceeds the width or length of the tricycle such that it juts out into the road or onto the sidewalk, (b) if the load was placed on the roof of the tricycle unit and has a height in excess of two (2) feet or 24 inches measured from the roof of the tricycle unit, or (c) the weight of the cargo exceeds the allowed carrying capacity of the tricycle unit as indicated in its certificate of registration or franchise.

Section 62. Display of Fare Matrix. The BTMD shall take measures to ensure that the fare matrix duly approved by the Sangguniang Panlungsod shall be duly displayed at the various terminals of each TODA and inside every tricycle, E-STRIKE, or pedicab granted a franchise under this Code.

Section 63. Overcharging of Fares, Display of Wrong or Altered Matrix, Non-Display of Updated Fare Matrix are Violations of this Code. – The (1) charging of fares in excess of those indicated in this Code, or any other succeeding ordinances of the City of Bacoor, (2) the display of a wrong, inaccurate, falsified or altered fare matrix, or (3) the failure to display the fare matrix within a tricycle, e-STRIKE or pedicab granted a franchise or at the terminal of a TODA subject of this Code shall be deemed violations of this ordinance.

The franchise granted in favor of the operator of the tricycle, e-STRIKE or pedicab who violates the immediately preceding section shall be revoked and the said individual, or his/her spouse or common law spouse, shall be banned from operating a tricycle, e-STRIKE or pedicab or from being granted a franchise within the City of Bacoor for a period of one (1) year counted from the date that the violation was discovered or from the date when a court of law upholds the validity of the revocation of the franchise. In addition, the person operating the tricycle, e-tricycle or pedicab at the time that the violation was discovered shall be required to pay a fine of **Php 2,000.00**.

Section 64. Operation of Tricycles, E-Tricycles and Pedicabs on National Roads and Highways. – Drivers of public utility tricycles, e-tricycles, and pedicabs shall only ply the routes designated for them by the Sangguniang Panlungsod and they are herewith expressly prohibited to traverse all national roads within the territorial jurisdiction of the City of Bacoor. Pedicabs, tricycles, and e-tricycles caught violating this section shall be impounded by the BTMD with the assistance of the PNP and a penalty of **Three Thousand Pesos (Php3,000.00)** shall be imposed against the operators or registered owners thereof upon determination of a court of law. An impounding fee of **Two Hundred Pesos (Php 200.00)** shall likewise be imposed against the owner or operator of the impounded tricycles, e-tricycles, and pedicabs for every day, or a fraction thereof, that the latter had been impounded. The release of the impounded tricycles, e-tricycles, and pedicabs shall only be allowed after the fine/s and impounding fees mentioned above have been paid in full.

ARTICLE 10. Pedestrians

Section 65. Subject to traffic regulations and Obedience to Traffic Authorities.– The orderly, safe, and unimpeded flow of pedestrian traffic on sidewalks shall be maintained at all times.

Pedestrians shall be subject to traffic-control signals and to the direction of traffic authorities. Willful failure or refusal to comply with any lawful order of any peace officer, or any duly authorized traffic enforcer who is at the time discharging the duty of regulating and directing traffic shall be liable to pay a fine of Five Hundred Pesos (Php500.00), without prejudice to the filing of a criminal complaint, if warranted.

Section 66. Right of Way on Pedestrian Lanes. -When traffic-control signals are not in place or not in operation, the driver of an approaching vehicle shall stop to allow a pedestrian using only the pedestrian lane to cross the roadway when the pedestrian has already reached half of the roadway upon which the vehicle is travelling, or when the pedestrian is upon the opposite half of the roadway and moving towards the approaching vehicle.

Section 67. Jaywalking.- No pedestrian shall cross a roadway where there is an accessible overpass or where there are traffic or pedestrian-control signs that prohibit such crossing. Except through the overpass and/or at the designated pedestrian lanes, pedestrians are prohibited from crossing the following thoroughfares:

- (a) General Evangelista Road
- (b) General Tirona Road
- (c) General Emilio Aguinaldo Highway
- (d) Aniban-Molino Road
- (e) Real-Salinas Road
- (f) Marcos Alvarez Road (Bacoor Side)
- (g) Zapote-Molino- Salawag Road
- (h) Molino Boulevard

(i) Daang Hari

Pregnant women, persons with disabilities, senior citizens or persons carrying heavy loads may be exempted from using the overpass.

Section 68. Walking on Sidewalks. -Where there are sidewalks provided, no pedestrian shall move along and upon an adjacent roadway.

Section 69. Walking on Roadway.- Where sidewalks are not provided, any pedestrian moving along and upon a street shall occupy only the left side of the roadway or its shoulder facing traffic where vehicles approach from the opposite direction and upon seeing an oncoming vehicle, shall move clear of the roadway.

Section 70. Playing on Public Roads.- No person shall be allowed to play games and/or operate or use roller skates, skateboards, toy vehicles or any similar devices on any public road within the City of Bacoor. Such devices may only be used while crossing the street at duly designated pedestrian lanes.

Section 71. Additional Restrictions for Pedestrians. -A pedestrian shall not do any of the following:

- a) Wait for or flag down a vehicle on a roadway outside of the designated loading zone;
- b) Board a vehicle before it fully stops;
- c) Alight from a vehicle outside of the designated unloading zone;
- d) Take an unnecessary length of time in crossing the road;
- e) Cling on any part of any moving vehicle;
- f) Ride on a motorcycle, pedicab, tricycle or jeepney that is already full of passengers or cargo;
- g) Throw litter anywhere except in the proper trash bins;
- h) Spit and/or urinate in roads, sidewalks, walls and other public places;
- i) Cross any road without using the overpass or the pedestrian lanes, if such are available and accessible; and
- j) Do any act that exposes himself or others to any harm or hinders the flow of traffic while crossing or walking on a public road.

ARTICLE 11.**Operation of Animal-Drawn Carriages, Tricycles, Pedicabs and Bicycles**

Section 72. Registration of Animal-Drawn Carriages and Pedicabs.- All pedicabs or animal-drawn carriages owned by residents of the City of Bacoor or operating within the City of Bacoor shall be registered every year on or before the last day of March, particularly:

- a. Pedicabs which are intended for use or already being used for leisure, travel or to serve an economic purpose;
- b. Animal drawn carriages intended for use or already being used for leisure, travel, or to serve an economic purpose.

Section 73. Registration Fees.-The owner/operator of pedicabs or animal-drawn carriages operating within the City of Bacoor shall pay to the Office of the City Treasurer a registration fee of Fifty Pesos (Php50.00) and shall remit the same amount to the said Office for the renewal thereof pursuant to the preceding Section.

Section 74. Operation of Tricycles and Pedicabs on Roadways. – Operators of tricycles and pedicabs shall only ply the routes designated for them by the BTMD and they are herewith expressly prohibited to traverse the Aguinaldo Highway, Molino Boulevard, Coastal Road and such other major roads that may be hereafter specified.

Section 75. Operation of Bicycles on Roadways.- Every person operating a bicycle upon a roadway shall only drive as near to the right side of the right through lane as is safe, except as may be appropriate while preparing to make or while making turning movements, or while overtaking and passing another bicycle or vehicle proceeding in the same direction. A person operating a bicycle upon a roadway that carries traffic in one (1) direction only and that has two (2) or more marked traffic lanes may ride as near to the left side of the left through lane as is safe. A person operating a bicycle upon a roadway may utilize the shoulder of the roadway or any specially designated bicycle lane if such exists.

Section 76. Control of Bicycle. - No person operating a bicycle shall carry any package, bundle or article which prevents him from keeping at least one (1) hand upon the handlebars, nor shall he operate the bicycle at any time without keeping at least one (1) hand upon the handlebars.

Section 77. Riding more than two (2) abreast prohibited. -Persons operating bicycles upon a roadway or sidewalk shall not ride more than two (2) bicycles abreast except on paths or parts of roadways set aside for the exclusive use of bicycles.

Section 78. Right-of-way in crosswalk.- A person operating a bicycle across a roadway upon and along a pedestrian lane shall have all the rights and duties applicable to a pedestrian under the same circumstances, but shall yield to pedestrians upon and along the said lane.

Section 79. Riding on sidewalk or public path. -Every person operating a bicycle upon any sidewalk or public path shall operate the same in a careful and prudent manner and at a rate of speed no greater than is reasonable and proper under the conditions existing at the point of operation, taking into account the amount and character of pedestrian traffic, grade and width of sidewalk or public path, and condition of surface, and shall obey all traffic-control devices. Every person operating a bicycle upon a sidewalk or public path shall yield the right-of-way to any pedestrian thereon, and shall give an audible signal before overtaking and passing any pedestrian.

Section 80. Passenger Capacity Limit.- No person shall use a bicycle to carry more persons at one time than the number for which it is designed and equipped, except that a person eighteen (18) years of age or older may carry a child securely attached to his person.

Section 81. Parking.- No person shall park a bicycle upon a sidewalk or public path in such a manner as to obstruct traffic thereon; or within, against or adjacent to a PUV stop in a manner which restricts or eliminates the use of such a PUV stop by pedestrians who are waiting for public transportation; or upon a roadway except in locations designated for the purpose.

Section 82. Regulation of Biking Events/Races.- No event and/or race involving bicycles shall be held on any public or private road within the City without a Mayor's Permit being first obtained by its organizers at least three (3) days prior to the holding of such event or race. As a requirement for the issuance of such Mayor's Permit, the organizer of the event/race shall do the following:

- a) Submit a written project proposal to the City Mayor citing:
 - (1) the goals intended to be achieved for the project/race;
 - (2) the name/s of the organizers;
 - (3) the name/s of the sponsors, if any;
 - (4) the name/s of the institutions that will benefit from the said event/race, if any;
 - (5) the estimated number of participants;
 - (6) the date, time, and venue of the event/race, and
 - (6) the type of assistance that the organizers expect from the City Government, if any.
- b) Pay the corresponding Mayor's Permit Fee as mandated in the pertinent provisions of the Revised Revenue Code of the City of Bacoor.

ARTICLE 12.

Responsibilities of Motorists

Section 83. General Responsibilities. - All operators of motor vehicles shall have the following responsibilities:

- a) Secure a valid driver's license from the Land Transportation Office (LTO);
- b) Bring a valid driver's license while operating a motor vehicle and surrender the same to any law enforcer when demanded;
- c) Use his seatbelt while driving and require all of his passengers to use seatbelts, if any, while the vehicle is in motion;
- d) License restriction must correspond to the motor vehicle being driven;
- e) Ensure that the motor vehicle being driven is duly registered with the LTO or the LTFRB and that the motor vehicle's body number, engine number and color must correspond with the description in the official registration paper/certificate of registration (OR/CR);
- f) Ensure that the OR/CR of the motor vehicle being driven is inside the motor vehicle at all times and must be ready to show and surrender the same to traffic enforcers when demanded;
- g) Refrain from using cellular phones while driving except if such gadgets are equipped with Bluetooth or other devices that allow the driver to operate the vehicle with both of his hands; and
- h) Refrain from wearing sleeveless shirts or slippers while driving a PUV.

Section 84. Student Driver's Permit. - No person possessing a student driver's permit shall operate a motor vehicle unless accompanied by a duly licensed driver.

The licensed driver acting as instructor to the student driver shall likewise be responsible and liable for any violation of the provisions of this Code and for any injury or damage done by the motor vehicle on account or as a result of its operation by a student driver under his direction.

All drivers under the employ of driving schools operating within the City shall be required to undergo an annual safety driving test under the supervision of the BTMD and to secure a Mayor's Permit before they can be allowed to instruct student drivers.

Section 85. Road Worthiness of Motor Vehicles. - All drivers and owners of motor vehicles being operated within the City shall see to it that his motor vehicle is in good running or road-worthy condition equipped with appropriate and functioning safety gadgets, accessories or accessories (equipment) while on the road, e.g. brakes, signal lights, tail lights, head lights, stop lights, wiper, side mirror etc.

To ensure compliance of all drivers with this section, the BTMD is hereby authorized and empowered to flag down or inspect any vehicle which does not appear to be road-worthy.

ARTICLE 13. Driving Regulations

Section 86. Reckless Driving. - No person shall operate a motor vehicle on any highway recklessly or without reasonable caution considering the width, traffic, grades, crossing, curvatures, visibility, and other conditions of the highway and the conditions of the atmosphere and weather, or so as to endanger the property or the safety or rights of any person or so as to cause excessive or unreasonable damage to the highway.

Reckless driving shall also include disregarding of traffic lights, disregarding of traffic signs, and violations of other prohibitory traffic signs, e.g. No left turn, No U-Turn, No Counterflow, No Right Turn on Red Signal, no canvass cover for trucks, etc.

In case of a vehicular accident, the driver of the vehicle appearing clearly at fault or the driver who voluntarily admitted his/her fault shall be issued OVR for reckless driving. In case the fault or negligence is not apparent from the resulting positions of the vehicles, both or all the drivers of the vehicles shall be

issued OVRs. A police clearance indicating that "no pending charges" were filed against him/her shall be required to be submitted to the BTMD upon redemption of driver's license.

Section 87. Other Driving Related Violations/Penalties.

87.1. Trip Cutting. In the presence of a traffic aide or upon the instance of a complaining passenger, the driver of PUV with legitimate franchise who willfully cut short his route, except upon lawful order of authorities, shall be imposed a fine of One Thousand Pesos (P1,000.00).

87.2. Out of Line. A fine of Five Thousand Pesos (P5,000) shall be imposed upon the driver of a PUV with legitimate franchise but operating on routes not covered by such franchise."

87.3. Colorum. Any person operating a privately-owned vehicle who shall pick up passengers or cargo for a fee, thereby operating illegally as a public utility vehicle, shall be apprehended, the vehicle impounded or license plates confiscated (symbolic impounding), and shall pay for the fine:

1 st Offense:	P1,000
2 nd Offense:	P3,000
3 rd Offense:	P5,000"

87.4. Unregistered Vehicle. The driver of a motor vehicle not duly registered with the LTO or LTFRB shall be imposed a fine of One Thousand Pesos (P1,000).

87.5. Defective/Non-Use of Vehicle Lighting. Drivers of vehicles without headlights and/or tail lights, including wilful failure to repair defects thereof or make use of the same during night time, *i.e.* between 7:00PM to 5:00AM, shall be meted with a fine of Five Hundred Pesos (P500)."

87.6 Reporting to Higher Authorities. The imposition of fines under the foregoing sub-sections of Section 87 shall be without prejudice to impositions by higher authorities of additional fines for violations of other relevant or related laws or government regulations. Moreover, all violations of Section 87 and its sub-sections and all other provisions of this Traffic Code shall be reported to the Land Transportation Office (LTO), Land Transportation Franchising and Regulatory Board (LTFRB), and to such other higher authorities as the case may be, for greater efficacy of implementing traffic laws.

Section 88. Hitching to a Vehicle. - No person shall hold on to, or ride on, the outside rear of any vehicle, and no person on a bicycle, roller skate or other similar device, shall hold fast to or hitch on to any moving vehicle, and no driver shall knowingly permit any person to hang on to ride on, the outside or rear end of his vehicle or allow any person on a bicycle, roller skate or other similar device to hold fast or hitch to his vehicle.

Section 89. Driving While Under the Influence of Liquor or Narcotic Drugs. - No person shall drive a motor vehicle while under the influence of liquor or narcotic drug.

I. Roadside Tests - To determine if a driver is under the influence of alcohol or drugs, the apprehending officer may conduct any or all of the following tests:

a) *The "National Anthem Test"* where the apprehending officer/s shall require the driver to sing the Philippine national anthem to determine the lucidity of his mind and to catch a whiff of his breath while singing;

b) *The "One-Leg Stand Test"* where the apprehending officer/s shall require the driver to stand on one leg for approximately 30 seconds to determine if there are any impairment in the motor skills of the driver;

c) *The "Heel-To-Toe Test"* where the apprehending officer/s shall require the driver to walk heel to toe in a straight line; and/or

d) *The "Bend Test"* where the apprehending officer/s shall require the driver to bend forward or backward with eyes closed.

II. Blood/Urine Test - If the driver fails any of the tests specified in Section 8.1 hereof, the driver shall be required to undergo a blood/urine test to be conducted by any of the health units of the local government or by any drug testing center duly accredited by the Land Transportation Office (LTO). The cost of such test shall be paid by the driver.

III. Effect of Refusal to Undergo Blood/Urine Tests - A driver who refuses to undergo a blood/urine test shall be deemed to have violated this Ordinance on the principle that any licensed driver who operates a vehicle has implicitly consented to submit to approved tests for purposes of detecting alcohol or other chemical substances to show intoxication.

Section 90. Right To Counsel During Blood/Urine Testing. - The driver shall be apprised of his right to consult a lawyer before the blood/urine testing. However, the said right is deemed waived if not requested by the driver before the start of such test.

Section 91. Duty of driver in case of Accident. - In the event that any accident should occur as a result of the operation of a motor vehicle upon a highway, the driver of that vehicle shall stop immediately, and, if requested by any person present, shall show his driver's license, give his true name and address and also the true name and address of the owner of the motor vehicle.

No driver of a motor vehicle concerned in a vehicular accident shall leave the scene of the accident without aiding the victim, except under any of the following circumstances:

- 1) If he is in imminent danger of being seriously harmed by any person or persons by reason of the accident;
- 2) If he reports the accident to the nearest officer of the law;
- 3) If he has to summon a physician or nurse to aid the victim.

Section 92. Ban on smoke-belching vehicles. - No driver shall operate a smoke-belching motor vehicle.

I. A motor vehicle shall be deemed a smoke-belcher if it fails the following standards:

- a) Any diesel-fueled motor vehicle, undergoing an emission test found to have a corresponding reading of more than fifty percent (50%) pollution rate;
- b) Any gasoline-fueled motor vehicles, after undergoing an emission test, found to have a corresponding reading of:
 - b.1) CO (Carbon Monoxide): 6.1% pollution rate;
 - b.2) HC (Hydro Carbon): 1200 ppm pollution rate and above for vehicle with 4-stroke engine;
 - b.3) HC (Hydro Carbon): 7800 ppm pollution rate and above for vehicles with 2-stroke engine.

II. Authority to spot-check motor vehicles - The BTMD is hereby empowered and authorized to flag down any motor vehicle and check the same for compliance with the foregoing emission standards through the use of emission testing machines. A driver should stop his driven motor vehicle and should comply with the directives of the traffic enforcers conducting the emission test.

III. Smoke emission checkpoints - The spot checks mentioned in Section 77 hereof shall be conducted in checkpoints which may be located along major thoroughfares or within the city government center. The said checkpoints must be properly marked and should be manned by properly-uniformed personnel of the BTMD. No smoke emission testing shall be conducted beyond 5:00 pm.

Section 93. Ban on smoking in public utility vehicles. - Smoking of cigarettes or cigars, whether by the driver or by any passenger, inside public utility vehicles operating within the city limits shall be unlawful.

Section 94. Truck Ban. - No truck shall be allowed to travel or pass along Aguinaldo Highway, Daang Hari, Molino Boulevard, and Tirona Highway within the territorial jurisdiction of Bacoor City, Cavite from 5:00AM to 9:00AM and from 4:00PM to 9:00PM everyday, except Sundays and holidays. Unless exempted in the succeeding Section, **TOTAL TRUCK BAN** is hereby imposed along Zapote – Aniban – Ligas – Molino -Salawag Road (Molino Road), Gen. Evangelista St., Mambog-Bayanan Road, everyday including holidays.

94.1. Truck Ban Exemptions -Subject to guidelines to be determined by the City Mayor, truck ban conduct passes shall be granted to the following on a limited basis:

- a) Heavy vehicles delivering petroleum products;
- b) Heavy vehicles undertaking international messengerial or package delivery services;
- c) Heavy vehicles utilized as garbage trucks by the City Government or by other local government units. Provided, that trucks carrying the garbage of other local government units shall only be allowed to pass or use the following roads: Aguinaldo Highway, Daang Hari Road and Coastal Road;
- e) Emergency vehicles of power and water companies;
- f) Heavy vehicles being utilized by the government in the construction of infrastructure projects subject to the issuance of a valid certification and trip pass by the government authority concerned such as DPWH, DOTC, LGUs, PEA, et al.;
- g) Heavy vehicles carrying perishable goods in commercial quantity. **Provided that:** the driver of the vehicle carrying such goods must present the official document/its issued by the national agency/ies regulating the transportation, distribution, and or sale of such goods to the traffic aide who in turn must immediately submit such documents to the Office of the City Legal Services (OCLS) for determination of the authenticity of the said documents; and
- h) Armored and marked vehicles.

Section 95. Control of Motorcycle. -A person operating a motorcycle shall ride only upon the permanent and regular seat attached thereto and shall not operate a motorcycle while carrying any package, bundle, or other article, which prevents him from keeping both hands on the handlebars.

Section 96. Passenger Capacity Limit. – A person operating a motorcycle shall not allow any other person to ride with him unless his motorcycle is designed to carry more than one (1) person, in which event a passenger may ride upon the permanent and regular seat if designed for two (2) persons, or upon another seat firmly attached to the motorcycle at the rear or side of the operator. In no instance shall more than two (2) persons be allowed to use the same motorcycle at the same time. Likewise, the person operating the motorcycle shall not allow his passenger to ride with him in a manner that will impede his view or interfere with his operation or control of the motorcycle.

Section 97. Mirrors Required. - No person shall operate a motorcycle not equipped with mirrors on the left and right sides of the handlebars which shall be so located as to give the operator a complete view of the street or alley for a distance of at least two hundred (200) feet to the rear of such motorcycle.

Section 98. Standard Helmets/Motorcycle Lights. - No person shall operate a motorcycle unless he wears a crash helmet as prescribed by law. No other person may ride with the operator of a motorcycle unless he also wears the proper crash helmet. Every motorcycle shall have its head and tail lamps lighted whenever such vehicle is in motion from 5:00 pm until 7:00 am or whenever practicable and necessary.

Section 99. Obstructing Traffic at Intersections.- No person shall drive his vehicle in such a manner as to obstruct or impede the passage of any vehicle, nor, while discharging or taking on passengers or loading or unloading freight, obstruct the free passage of other vehicles on the highway. The following fines shall be imposed against a driver who blocks a lane going left or right on an intersection:

First Offense:	Php 500.00
Second Offense:	Php 1,000.00
Third Offense:	Php 1,500.00

Section 100. Driving on One-Way Streets. - No person shall drive any vehicle on any street or alley which is designated for one-way traffic, except in the designated direction.

Section 101. General and Maximum Speed. -

A. No person shall drive a vehicle on a street, alley or way open to the public at a speed greater than is reasonable and prudent under the conditions and having regard for the actual and potential hazards then existing. In every event, speed shall be so controlled as may be necessary to avoid colliding with any person, vehicle or other conveyance on or entering such street, alley or way open to the public in compliance with legal requirements and the duty of all persons to use due care.

B. The driver of every vehicle shall, consistent with the requirements of this section, drive at an appropriate reduced speed when approaching and crossing an intersection, when approaching and going around a curve, when travelling upon any narrow or winding roadway, and when special hazard exists with respect to pedestrians or other traffic or by reason of weather or roadway conditions.

C. Speed Restrictions. Subject to the provisions of the preceding paragraph, the rate of speed of any motor vehicle shall not exceed the following:

Type of Roads/Streets	Vehicle Type	Speed Limit
On open highways or country roads, with no "Blind Corners" and not closely bordered by habitation.	Motorcycles, Cars, Jeepneys, Trucks, Buses	40 KPH to 60 KPH
On "through streets" or boulevards, clear of traffic, with no "blind corners".	Motorcycles, Cars, Jeepneys, Trucks, Buses	40 KPH to 60 KPH
On the streets with light traffic, when Not designated as "through streets".	Motorcycles, Cars, Jeepneys, Trucks, Buses	40 KPH to 60 KPH
Through crowded streets, approaching intersection at "blind corners", passing "school zones", or for similar dangerous circumstances.	Motorcycles, Cars, Jeepneys, Trucks, Buses	30 KPH to 60 KPH

D. **Exemptions.** The rates of speed hereinabove prescribed shall not apply to the following:

1. A physician or his driver when the former responds to emergency calls;
2. The driver of a hospital ambulance on the way to and from the place of accident or other emergency;
3. Any driver bringing a wounded or sick person for emergency treatment to a hospital, clinic or any other similar place;
4. The driver of a motor vehicle belonging to the Armed Forces while in use for official purposes in times of riot, insurrection or invasion;
5. The driver of a vehicle, when he or his passenger are in pursuit of a criminal;
6. A law-enforcement officer who is trying to overtake a violator of traffic laws; and
7. The driver officially operating motor vehicles of any fire department, provided that these exemptions shall not be construed to allow useless or unnecessary fast driving of drivers aforementioned.

Section 102. Reclassification of Various Roads/Definition of Road Classes. The following roads within the City of Bacoor are hereby reclassified:

Road Class	Name of Roads/Streets
Open Roads	1. Daang Hari Road 2. Gen. Aguinaldo Highway
Through Streets	1. Bacoor- Imus Diversion Road 2. Bacoor Boulevard 3. Gen. Tirana Highway

	4. Zapote-Aniban-Paliparan Road (only the portion of the road within the territorial Jurisdiction of the City of Bacoor) 5. Bacoor River Drive
Crowded Streets	1. Gen. Evangelista Road 2. Zapote Market Road 3. Niog Road 4. Real-Salinas Road 5. Mambog-Bayanan Road 6. Gen. Marcos Alvarez Road(Territorial Jurisdiction of the City of Bacoor) 7. All private roads included in the Solidarity Route Program of the City of Bacoor

For purposes of clarity, "crowded streets" shall refer to streets with heavy pedestrian traffic, including all streets within a five hundred (500) -meter radius of schools, public transportation terminals, markets, government buildings, churches and other places of worship, recreational places, facilities frequented by the youth, parks, shopping malls, movie houses, hotels, restaurants, and other public places. "Through streets" on the other hand refer to every street or highway or portion thereof at the entrances to which vehicular traffic from intersecting streets or highways is required by the BTMD to stop before entering or crossing the same or where stop signs have been erected. "Open roads" pertain to stretches of road without blind corners where motorists have an unimpeded view of what is ahead of them and pedestrian traffic is inexistent or minimal.

Section 102-A. Implementation of Minimum and Maximum Speed in Reclassified Roads. The minimum and maximum speed set in Section 96 of the Revised Bacoor Traffic Code as amended by the Ordinance shall be enforced by the BTMD and by the officials of the barangays having jurisdiction over the said roads and streets.

Section 102-B. Duty of BTMD to Coordinate/Report to LTO. The BTMD is hereby directed to:
 (1) submit a copy of this Ordinance to the Regional Office of the Land Transportation Office (LTO) not later than fifteen (15) working days after it became effective and to (2) submit a report to the said agency every last working day of the month on how this Ordinance is being implemented.

Section 102-C. Training on Speed Limit Setting and Enforcement. The BTMD, in coordination with the City Information Office and civil society organizations advocating road safety accredited by the Sangguniang Panlungsod, shall be responsible for training and information dissemination on speed limit setting and enforcement strategies within the City of Bacoor.

Section 102-D. Deputation of Law Enforcement Officers. The BTMD shall coordinate with the LTO regarding the training of selected BTMD and barangay officials who will be deputized to enforce this Ordinance and law/government policies related to speed limit enforcement.

Section 102-E. Authority of the BTMD to Install Speed Limit Signs and to Purchase Radar Speed Guns. The BTMD is hereby authorized to make use of the BTMD Special Trust Fund to install speed limit signs on all roads within the City and to purchase at least twelve (12) radar speed guns pursuant to prevailing laws, rules, and regulations on government procurement.

Section 102-F. Duty of BTMD and BDRRMO to Maintain Database on Speed Limit Policies. The BTMD and the BDRRMO shall jointly maintain a central database on the implementation of this Ordinance. The said database shall be regularly updated and should be readily accessed by any member of the public.

The BDRRMO shall be primarily responsible for the collection and encoding of road crash data for road crashes occurring within the City of Bacoor into the Data for Road Incident Visualization Evaluation and Reporting (DRIVER) System of the LTO. Road crash data shall refer to information relating to the crash incident, which, at the minimum, should include the following:

- i. Date and time
- ii. Location (with address, landmarks, and coordinates, if available)
- iii. Name of people involved
- iv. Number of people involved
- v. Cause
- vi. Collision type

- vii. Severity (fatal, injury, property damage)
- viii. Vehicle or road user type
- ix. Involvement of children (0-12)

As far as practicable, the BDRRMO shall adopt the template road crash data report or the Investigative Report Form of the Philippine National Police.

Section 102-G. Penalties for Violations of Rules on Speeding. Persons who shall violate the speed limits set in this Ordinance shall be penalized in the manner specified in the pertinent provisions of the Revised Bacoor Traffic Code and its implementing rules and regulations. The appropriate administrative action shall be instituted against any official or employee of the city government or of any barangay in the City of Bacoor, Cavite who will violate the administrative provisions of this Ordinance.

Section 103. Minimum Speed.- No person shall operate a motor vehicle at such a slow speed as to impede the normal and reasonable movement of traffic except when reduced speed is necessary for safe operation or in compliance with law. Any person following a vehicle being driven at less than the legal maximum speed and desiring to pass such vehicle shall not exceed the speed limit when passing such vehicle. Where any slow moving motor vehicle tends to congest traffic, any peace officer may cause such vehicle to be removed from the roadway and permit the congested traffic to be relieved.

Section 104. Driving on Right Side of Roadway; Exceptions. – Every person operating a motor vehicle or an animal-drawn vehicle on a highway shall pass to the right when meeting persons or vehicles coming toward him except as follows:

1. When overtaking and passing another vehicle proceeding in the same direction under the rules governing such movement;
2. When an obstruction exists making it necessary to drive to the left of the centerline of the roadway: *Provided*, that any person so doing shall yield the right-of-way to all vehicles travelling in the proper direction upon the unobstructed portion of the roadway;
3. Upon a roadway divided into three (3) marked lanes for traffic under the rules applicable thereon; or
4. Upon a roadway restricted to one (1) way traffic.

On any roadway having four (4) or more lanes for moving traffic and providing for two (2) way movement of traffic, no vehicle shall be driven to the left of the centerline of the roadway except as permitted above. However, this subsection shall not be construed as prohibiting the crossing of the centerline in making a left turn into or from an alley, private road or driveway.

Section 105. Slow Vehicles at Right Side; Exceptions.- Upon all roadways, any vehicle, proceeding slower than the legal maximum speed or at a speed slower than necessary for safe operation at the time and place under the conditions then existing, shall be driven in the right-hand lane then available for traffic, or as close as practicable to the right-hand curb or edge of the roadway, except when overtaking and passing another vehicle proceeding in the same direction or when preparing for a left turn at an intersection, exit, or into a private road or driveway when such left turn is legally permitted.

Section 106. Operate in Single Lane. - Every vehicle shall be driven as nearly as practicable entirely within a single lane and shall not be moved from such lane until the driver has first ascertained that such movement can be made with safety.

Section 107. Interval Between Vehicles.- The driver of a motor vehicle shall not follow another vehicle or bicycle more closely than is reasonable and prudent, having due regard for the speed of such vehicles or bicycles and the traffic upon and the condition of the street or alley.

Section 108. Driving on the Shoulder.- No person shall drive any vehicle or combination of vehicles with one (1) or more of the wheels on the shoulder of a street except for the purpose of stopping off such roadway, for gaining access to adjacent property, or having stopped thereat, for proceeding back onto the roadway.

Section 109. Overtaking a Vehicle on the Left.- The operator of a vehicle overtaking another vehicle proceeding in the same direction shall pass to the left of such overtaken vehicle at a safe distance and shall not again drive to the right side of the roadway until safely clear of the overtaken vehicle.

Section 110. Limitations on Overtaking on the Left.- No person shall drive a vehicle to the left side of the center of the roadway in overtaking and passing another vehicle proceeding in the same direction unless authorized by the provisions of this chapter and unless such left side is clearly visible and is free of oncoming traffic for a sufficient distance ahead to permit such overtaking and passing to be completely made without interfering with the operation of any vehicle approaching from the opposite direction or any vehicle overtaken. In every event, the overtaking vehicle must return to an authorized lane of travel as soon as practicable and in the event the passing movement involves the use of a lane authorized for vehicles approaching from the opposite direction, before coming within five hundred (500) feet of any approaching vehicle.

Section 111. Overtaken Vehicle to Give Way. -Except when overtaking and passing on the right is permitted, the driver of a vehicle being overtaken by a vehicle proceeding in the same direction shall give way to the right in favor of the overtaking vehicle on audible signal and shall not increase the speed of his vehicle until completely passed by the overtaking vehicle.

Section 112. Driving on Left Side of Centerline When Approaching a Curve.- No person shall operate a vehicle on the left side of the centerline when approaching a curve or whenever the operator's view is obstructed within such distance as to create a hazard in the event another vehicle might approach from the opposite direction.

Section 113. Overtaking on Right When Overtaken Vehicle is Turning Left.- The operator of a vehicle may overtake and pass upon the right of another vehicle when the vehicle overtaken is making or about to make a left turn. Such movement shall not be made by driving off the roadway.

Section 114. Overtaking on Right Upon Multiple-Lanes. - The operator of a vehicle may overtake and pass upon the right of another vehicle upon a roadway with unobstructed pavement of sufficient width for two (2) or more lanes of vehicles moving lawfully in the direction being travelled by the overtaking vehicle.

Section 115. Prohibited Overtaking. – The following overtaking maneuvers are prohibited:

A. Whenever any vehicle is stopped before a marked pedestrian lane or at any unmarked area at an intersection to permit a pedestrian to cross the roadway, the operator of any other vehicle approaching from the rear shall not overtake and pass such stopped vehicle.

B. The driver of a vehicle shall not overtake or pass any other vehicle proceeding in the same direction, at any railway grade crossing, not at any intersection of highways, unless such intersection or crossing is controlled by traffic signal, or unless permitted to do so by a watchman or a peace officer, except on a highway having two or more lanes for movement of traffic in one direction where the driver of a vehicle may overtake or pass another vehicle on the right.

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

D. The driver of a vehicle shall not overtake or pass, or attempt to overtake or pass, any other vehicle proceeding in the same direction in any "no- passing or no over-taking zone".

Section 116. Right of Way.- The following rules shall be observed in yielding the right of way:

1) When two vehicles approach or enter an intersection at the same time, the driver of the vehicle on the left shall yield the right of way to the vehicle on the right, except as otherwise provided therein. The driver of any vehicle travelling at an unlawful speed shall forfeit any right of way which he might otherwise have under the provisions hereof.

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

3) The driver of any vehicle upon a highway within a business or residential district shall yield the right of way to a pedestrian crossing such highway within a crosswalk, except in an intersection where the movement of traffic is being regulated by a traffic enforcer or by traffic signal. Every pedestrian crossing

a highway within a business or residential district, at any point other than a cross walk, shall yield the right of way to vehicles upon the highway. The driver of a vehicle upon a highway shall bring to full stop such vehicle before traversing any "through street" or railroad crossing: Provided, that when it is apparent that no hazard exists, the vehicle may be slowed down to ten (10) kilometers per hour instead of bringing it to a full stop.

Section 117. Exemption to Right of Way Rule. -

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

2) The driver of a vehicle upon a highway shall yield the right of way to a police or fire department vehicle or ambulance when such vehicle is being operated on official business and the driver thereof sounds audible signal of his approach.

3) The driver of a vehicle entering a "through street" or "stop intersection" shall yield the right of way to all vehicles approaching in either direction on such "through street". Provided, that nothing in this Section shall be construed as relieving the driver of any vehicle being operated on a "through street or highway" from the duty of driving with due regard to the safety of vehicles entering such highway or street nor as protecting the said driver from the consequences of an arbitrary exercise of such right of way.

Section 118. Drivers operating a Public Utility Vehicle.—All drivers operating PUVs shall secure a professional driver's license from the LTO, and a Bacoor Transport ID from the BTMD. Drivers are mandated to wear pants and a shirt and observe proper decorum at all times while operating their vehicles along their respective routes.

Section 119. Passenger/Load Capacity Limit.—No PUV shall be allowed to carry passengers, goods or cargo that would exceed its passenger/load capacity. Tricycles and pedicabs, in particular, shall not be allowed to carry more than three (3) passengers, which shall include the driver.

Persons found violating this provision shall be held liable to pay a fine of Five Hundred Pesos (Php500.00) plus suspension of franchise for not more than thirty (30) days.

Section 120. Exemption of Emergency Vehicles.—The driver of an emergency vehicle, while responding to an actual emergency and with a sounding siren, bell or repeater horn, may do any of the following when it is safe and expedient to do so:

- a) Pass a traffic stop sign or proceed contrary to the direction or instruction of any traffic control devices or traffic enforcer;
- b) Drive in any direction or on any part of a road or overtake or pass on either side of another vehicle;
- c) Stop, leave waiting, or park the vehicle at any place at any time;
- d) Remove any inanimate object that blocks the path of his emergency vehicle without causing any physical injury to himself or anybody else; or
- e) Exceed the speed limits prescribed in Article 13 of the Revised Traffic Code of the City of Bacoor.

Section 121. Responsibilities of Motorists in Case of an Emergency.—Upon the approach of any police or fire department vehicles, or of any emergency vehicle giving audible signal, the driver shall immediately give way and drive his vehicle to a position as near as possible and parallel to the right-hand edge or curb of the highways, clear of any intersection of highways, and shall stop and remain in such position unless directed by a peace officer, or until such vehicle shall have passed.

In case of an emergency, all motorists driving on any road within the City shall also have the following responsibilities:

- a) Stop at the shoulder and give emergency vehicles a wide berth;

- b) Remove any inanimate object that blocks the path of emergency vehicles without causing any physical injury to himself or anybody else;
- c) Direct the flow of traffic when no traffic enforcer is present or assist a traffic enforcer in directing the flow of traffic when commanded by the former to do so; or
- d) Report the occurrence of an emergency by the most expedient means possible.

Section 122. Exemptions of Private Vehicles Responding to an Emergency. - The driver of a private vehicle, while responding to an actual emergency and with hazard lights on, may do any of the following when it is safe and expedient to do so:

- a) Pass a traffic stop sign or proceed contrary to the direction or instruction of any traffic control devices or traffic enforcer;
- b) Drive in any direction or any part of a road or overtake or pass on either side of another vehicle;
- c) Stop, leave waiting or park his driven vehicle at any place at any time;
- d) Remove any inanimate object that blocks the path of his driven vehicle without causing any physical injury to himself or anybody else; or
- e) Exceed the speed limits prescribed in Article 13 of the Revised Traffic Code of the City of Bacoor.

ARTICLE 14. **Parking**

Section 123. General Rules on Parking. – A. No driver shall

- (a) leave a vehicle waiting in a "No Waiting Area";
- (b) park a vehicle in a "No Parking Area" or "No Parking Zone", except when loading or unloading goods or passengers;
- (c) leave a vehicle waiting in a "No Stopping Area", for any purpose;
- (d) leave a vehicle waiting in a Parking Area contrary to any limitation in respect of days, periods of the day, classes of vehicles indicated by the inscription on the sign or signs associated with the area. However, a person may park a vehicle in a "No Parking Area" or leave a vehicle waiting in a "No Waiting" Area or "No Stopping" Area under any of the following conditions:
 - i) during anytime that the restriction is suspended by reason of the inscription on the sign or signs associated with the Area; or
 - ii) if the inscription on the sign or signs associated with the area exempts his vehicle from the restriction imposed within the area.

B. No person shall park or leave a vehicle in such a way that any portion thereof shall be:

- (i) between any other waiting vehicle and the center of the thoroughfare ;
- (ii) between the pedestrian zone and the nearest curb;
- (iii) in front of a right-of-way, passage or private driveway;
- (iv) in front of a footway constructed across a reservation;
- (v) alongside or opposite any excavation if the vehicles would obstruct traffic;
- (vi) on any footway, marked crosswalk or pedestrian crossing;

- (vii) upon a bridge or other elevated structure or within a tunnel or underpass;
- (viii) within fifty (50) meters of any intersection or curved lane;
- (ix) within twenty (20) meters of driveways or entrances to any fire station, police station, hospital, clinic, or other similar establishment;
- (x) on any portion of a thoroughfare on which the sign "Keep Clear" is installed;
- (xi) within ten (10) meters of any fire hydrant or fire plug or any sign or mark indicating the existence of a fire hydrant or fire plug;
- (xii) within 3 meters of a letter pillar or letter box unless the vehicle is being used for the purpose of collecting postal articles from the pillar or box;
- (xiii) on a bicycle lane; or
- (xiv) upon a Bus and PUJ Lane except that a public utility vehicle may remain waiting while persons are actually entering or alighting from vehicle;
- (xv) on the roadside of any legally parked motor vehicle;
- (xvi) on sidewalks, paths, or alleys not designated as parking areas;
- (xvii) at the foot of, or within ten (10) meters from the foot of, bridges;
- (xviii) at any place where official signs have been erected that says "NO PARKING ZONE" by the City Government of Bacoor; and
- (xix) other areas duly declared as "NO PARKING ZONE" as provided by law, ordinance, executive order, or by the Head of the BTMD as approved by the City Mayor during the celebration of various public events, during natural or man-made calamities, or other public emergencies. **PROVIDED that:** such declaration shall: (a) state the reason for the declaration, (b) be made in writing with the approval of the City Mayor, (c) clearly identifies the place that will be temporarily declared as a "no parking zone" and (d) shall state the fixed period when the said declaration shall remain effective.

Section 124. Manner of Parking.- Any driver who parks or leaves a vehicle waiting on a thoroughfare shall park or leave the vehicle waiting in this manner:

- (a) as near as practicable to the right boundary of the thoroughfare in the case of a road on which vehicles are permitted to travel in both directions;
- (b) as near as practicable to left boundary of the road and parallel to the boundary of the thoroughfare in the case of a road on which vehicles are permitted to travel in one direction only;
- (c) so that not less than 3 meters of the width of the thoroughfare between the vehicle and the far boundary of the thoroughfare is available for the movement of other vehicles;
- (d) in a manner that it does not cause undue obstruction on the thoroughfare; and
- (e) where parking bays are marked on the thoroughfare, entirely within the confines of a single bay.

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

Improper parking shall be penalized by a fine of Five Hundred Pesos (Php500.00).

Section 125. Parking Near a Crest or Curve.- No person shall park or leave a vehicle waiting on or near a crest or curve so that any portion of it is upon a thoroughfare unless a driver approaching from the rear would have a clear view of the vehicles for a distance of at least 45 meters.

Section 126. *Parking on Parade Grounds and on Any Special Occasion.*- The BTMD is hereby authorized, whenever it deems it necessary, to prohibit or restrict the parking of any vehicle on either or both sides of any street or portion thereof, constituting a part of the route of a parade or procession, or on any special occasion, and also upon any street adjacent thereto by the erection or placement of temporary signs setting forth such restrictions. When such signs are erected or placed prior to the parade, procession or special occasion, it shall be unlawful to park or leave unattended any vehicle in violation of such signs at the owner's expense. A traffic enforcer assigned in the area is hereby authorized to remove, or cause to be removed, any vehicle left unattended or parked in violation of such signs at the owner's expense. Violators shall be made to pay a fine of Five Hundred Pesos (Php500.00) plus towing fee, if applicable.

Section 127. *Parking for Commercial Purposes Prohibited.* - No person shall park a vehicle upon any public roadway for the principal purpose of (a) displaying such vehicle for sale, or (b) washing, greasing or repairing such vehicle except for repairs necessitated by an emergency. Violators shall be made to pay a fine of Five Hundred Pesos (Php500.00) plus towing fee, if applicable.

Section 128. *Parking in Front of Residential or Commercial Establishment Located Along a Public Road.*- No person shall appropriate for his exclusive use a parking space located along a public road even if such parking space is in front of a residential or commercial establishment owned, managed, or operated by such person without paying the prescribed parking fee in this Ordinance. Whenever any traffic enforcer finds a vehicle unattended upon any commercial establishment where such vehicle constitutes an obstruction to traffic, such officer is hereby authorized to tow such vehicle to the nearest garage or other place of safety. Violators shall be made to pay a fine of Three Hundred Pesos (Php300.00) plus towing fee, if applicable.

Section 129. *Parking on Loading/Unloading Zones.*- A driver of a truck may park his vehicle in a "Loading Zone" when actually taking up or setting down goods, provided he is present at all times and attending to the same. A driver of a public utility vehicle shall stop, pick up or unload passengers only at designated loading zones. On sections of the road where there is no prohibition against loading and unloading, he may stop to take up or set down passengers provided it is 50 meters away from a signalized intersection. Violators shall be made to pay a fine of Five Hundred Pesos (Php500.00) plus towing fee, applicable.

Section 130. *Officers Authorized to Remove, Tow or Clamp Illegally Parked or Stalled Vehicles.* - The traffic aides of the BTMD, the personnel of the BTMD assigned to the BITU, and the duly deputized barangay officials are hereby authorized to cause the removal, towing, or clamping of all illegally parked or stalled motor vehicles within the City of Bacoor.

A traffic aide or duly deputized barangay official who finds an attended illegally parked vehicle is hereby authorized to move such vehicle, or require the driver, or other person in charge of the vehicle to move the same to a position off the paved or main travelled part of such road or to any place where parking is allowed. Thereafter, the said traffic aide or barangay official shall have the authority to issue an OVR against the driver of the attended illegally parked vehicle. In case the driver refused to obey the directives given to him by the traffic aide or barangay official concerned, the latter shall have the authority to either clamp the tires of the said vehicle or to have it towed whichever measure is quicker or more convenient to implement.

A traffic aide, or duly deputized barangay official, who finds an unattended illegally parked vehicle on any place designated as a NO PARKING ZONE or upon any bridge or causeway where such vehicle constitute an obstruction to traffic shall have the authority to cause the removal, towing, or clamping of such vehicle to the nearest impounding area or other place of safety. The expense incurred in the removal, towing, and clamping of such vehicle shall be charged to the registered owner of the vehicle.

The traffic aide or barangay official who attached a tire clamp on an illegally parked vehicle shall not remove the clamp unless the driver or registered owner of the vehicle pays the corresponding fine provided hereunder.

Section 131. *Authority of the BTMD to Dispose Unclaimed Vehicles.* - (a) The Head of the BTMD is hereby authorized to recommend to the City Mayor the disposal of a vehicle that has been under the custody of the BTMD for more than ninety (90) days. Such disposition shall be through public auction under such procedure, as the City Mayor shall establish with the approval of the Sangguniang Panlungsod by way of a resolution. Written notice of such auction shall be sent to the last known registered owner by registered mail at least ten (10) days prior to the date of auction. A notice of public auction shall also be published in a newspaper of general circulation in the City of Bacoor at least thirty (30) days prior to the date of the auction. The said auction shall be held not earlier than 120 days after the date the vehicle shall

have been taken into custody. Any person entitled to such vehicle may claim the same at any time prior to such auction upon payment of all costs and expenses relating to the towing and storage of such vehicle pursuant to the pertinent provisions of this Ordinance or its implementing guidelines, if any.

(b) The proceeds derived from such auction shall be used to defray the expenses of auction and any other expenses incurred in the towing and storage of the vehicle. The balance if any, shall accrue to the Bacoor Traffic Management Trust Fund.

Section 132. Signal on Starting, Stopping, or Turning. - The following rules shall be observed before starting, stopping, or turning a vehicle:

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

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

Section 133. Prohibition on Lease or Use of Parking Spaces for Other Purposes.- Business establishments along Aguinaldo Highway (Zapote Portion), Evangelista Road, and the Aniban-Molino Road (Aniban-Zapote Portion) are prohibited from either leasing any portion of their intended parking spaces or utilizing the same for other purposes. Any business establishment found violating this provision shall be penalized with the revocation of their Business Permits.

Section 134. Blocking or Obstructing Traffic or Sidewalk. - No person shall drive or park a motor vehicle upon or along any sidewalk, path or alley not intended for vehicular traffic or parking. Except in designated parking areas, parking of any vehicle is strictly prohibited in the following thoroughfares:

- (1) General Evangelista Road
- (2) General Tirona Road
- (3) General Emilio Aguinaldo Highway
- (4) Zapote-Salawag Road (Territorial Jurisdiction of Bacoor)
- (5) Bayanan-Mambog Road
- (6) Real-Salinas Road
- (7) Marcos Alvarez Road (Bacoor Side)
- (8) Daang-hari Road (Bacoor Side)
- (9) Molino Blvd.

The BTMD, with the approval of the City Mayor, shall have the power to determine and designate the areas in the said thoroughfares where parking may be provided.

Section 135. Loading and Unloading Zones. -

A. No person shall stop, or park a vehicle in a loading and unloading zone for any purpose or length of time other than for the expeditious pick up, loading or unloading and/or delivery of persons or property, and then in no case shall the stop for such purposes exceed two (2) minutes.

B. No person shall load or unload persons or property/ies on the following roads, except in the designated loading and unloading zones thereon.

- (1) General Evangelista Road;
- (2) General Tirona Road
- (3) General Emilio Aguinaldo Highway
- (4) Zapote-Aniban-Paliparan Road (within the territorial jurisdiction of the City of Bacoor)
- (5) Bayanan-Mambog Road
- (6) Real-Salinas Road
- (7) Marcos Alvarez Road (within the territorial jurisdiction of the City of Bacoor)
- (8) Daang Hari Road (within the territorial jurisdiction of the City of Bacoor)
- (9) Bacoor Boulevard;

- (10) Niog Road; and
 (11) Longos to Talaba and Longos going to Las Piñas City boundary.

Violators of this provision shall pay the following fines:

Vehicle Type	Fine
Vehicles with a gross weight capacity of 4,500 kilograms or more	Php 3,000.00 for each violation
Tricycles and motorcycles (whether PUT or privately owned)	Php 500.00 for each violation
Cars, sedans, jeeps, vans, or other vehicles (whether PUV or privately owned)	Php 1,000.00 for each violation

ARTICLE 15.

Towing, Clamping, and Impounding of Motor Vehicles

Section 136. Towing of Vehicles. - Any unattended illegally parked or stalled vehicle as well as any vehicle driven by a person without a valid driver's license which violates the foregoing provisions or has been left in a location which causes it to be a danger to public health or safety shall be towed and impounded at the expense of its owner or driver.

Section 137. Guidelines for Towing and Clamping Operations. - The following are the guidelines that must be observed by the personnel of the BITU, BTMD, duly deputized barangay officials or by the towing crew of towing companies accredited by the City Mayor during towing and/or clamping operations:

1. The primary duties of the towing crew are to: (a) safely remove any stalled and/or illegally parked vehicles or vehicles driven by persons without a valid driver's license – without damaging them – within the shortest time possible, (b) secure impounded vehicles at the nearest impounding area and (c) ensure their safety including all their parts, accessories, and tools from damage or theft.
2. The primary duties of the clamping crew are (a) to clamp one of the tires of an unattended illegally parked vehicle without damaging the vehicle, and (b) immediately inform the BITU about the clamping operation that he performed so that the unattended illegally parked vehicle can be towed as quickly as possible.
3. All tow truck crews, BITU or BTMD personnel, or duly deputized barangay officials must wear identification cards, uniforms, safety shoes, and traffic safety vests and must exercise utmost courtesy when dealing with the public/motorist before conducting a clamping or towing operation.
4. Attended illegally parked vehicles shall NOT be towed but its driver shall be issued with a corresponding OVR and shall be ordered to move the motor vehicle to a place where parking is allowed. If the driver of the Attended illegally parked vehicle unjustifiably refused to move his vehicle despite being ordered to do so, the apprehending officer may order the towing of the said vehicle. In which case, the driver or registered owner of the vehicle shall be required to pay the corresponding towing and impounding fees.
5. The driver of a flat-tired vehicles blocking the flow of traffic must move the vehicle to the emergency lane (if any) or to the shoulder and will be given thirty (30) minutes to replace the flat tire. Otherwise, the vehicle will be towed. The changing of flat tires on the road shall not be allowed and shall be considered a violation of this Code. Regardless of whether the vehicle is towed or not, the traffic aide or duly deputized barangay official shall issue an OVR against the driver for violation of the Revised Traffic Code.
6. Stalled or illegally parked motor vehicles with empty fuel tanks may be towed to the nearest gasoline station. However, the towing fee should be paid to the City Treasurer's Office based on the number of kilometers travelled from the point of origin to the gasoline station based on the towing rates herein provided. An official receipt and an OVR shall be issued to the driver or to the registered owner of the motor vehicle.

7. Stalled or illegally parked motor vehicles suffering from engine trouble shall be towed in cases where: (a) the driver deliberately refuses to remove his vehicle despite being given a lawful directive to move it by a traffic aide, police officer, or duly deputized barangay official or where (b) the vehicle cannot move his vehicle due to absence of equipment or other circumstances beyond the driver's control. An OVR shall be issued to the driver.

8. BITU personnel, traffic aides, or duly deputized barangay officials who failed to comply with the foregoing guidelines shall be held accountable for any damage or loss of property suffered by the owner of the towed or clamped vehicle. If the towing operation was conducted by a private towing operator, the personnel of the towing operator shall be held liable for any damage or loss of property or suffered by the owner of the motor vehicle as a result of their negligence or their failure to comply with the foregoing guidelines.

Section 137-A. Towing Procedures. The following procedures shall be observed by BITU personnel and duly accredited tow truck crews in the towing of unattended illegally parked vehicles, stalled vehicles, or vehicles driven by persons without a valid driver's license within the City of Bacoor:

1. Upon receipt of a report on an unattended illegally parked vehicle, stalled vehicle, or vehicle driven by a person without a valid driver's license, the tow truck shall immediately proceed to the identified location thereof.

2. On arrival at the identified location, the tow truck crew shall immediately call or radio the BTMD Command Center and report on the said stalled/illegally parked vehicle. The following information must be provided by the tow truck crew:

- a. Vehicle's plate number, type and color;
- b. Vehicle's condition and other description;
- c. Tow truck company's name, address, telephone number, and the tow truck's plate number;
- d. The names of the tow truck crew/personnel; and
- e. The designated impounding area or location where the vehicle will be brought.

3. If the vehicle is unattended, the tow truck driver shall blow the truck's horn five (5) times twice in a row with a space of one minute in between. If the owner does not respond or show up, the vehicle will be towed.

4. If the vehicle subject of towing is listed as a stolen vehicle by the police authorities or on any other government watch list, the proper authorities shall be notified by the BTMD.

5. If the owner or driver of the vehicle to be towed is present, the tow truck crew or BITU personnel shall issue a Technical Inspection Report to the owner or driver before the towing operation proceeds. The TIR shall include the following information:

- a. Stalled or illegally parked vehicle's plate number, type, and color;
- b. Vehicle's condition and other description including an inventory of the vehicle, its accessories, and tools in the presence of the vehicle's driver or registered owner;
- c. Tow truck's plate number;
- d. Names of towing crew or BITU personnel who conducted the towing operation;
- e. Designated impounding area or location where the stalled or illegally parked vehicle, or vehicle driven by a person without a valid driver's license will be brought; and
- f. The date and time when the towing operation was conducted.

In case the owner or driver of the vehicle is not around at the time it was towed, a copy of the TIR shall be left behind to any responsible person present at the place when the towing operation took place or at the office of the Punong Barangay who has jurisdiction over the place where the vehicle was parked, stalled, or taken into custody. If the owner or registered owner of the vehicle refuse to accept his copy of the TIR, the apprehending officer shall indicate in the TIR that the owner/driver refused to accept the TIR before the vehicle was towed.

6. An OVR shall be issued to the registered owner or driver of the vehicle that was towed either before the vehicle is towed (if the driver or owner is present) or before it is released from the impounding area.

7. No person shall be allowed to stop a tow truck that has already clamped a subject vehicle. Any person who blocks a tow truck in the middle of a towing operation, attacks, threatens or coerces, or seriously resists any BTMD personnel or barangay official, or who prevents a towing operation by any illegal means shall be prosecuted for any of the applicable crimes against persons in authority and their agents as defined and penalized under the Revised Penal Code.

Section 138. Monitoring of Towing Operations. - (a) The Bacoor Impounding and Towing Unit shall be responsible for monitoring any suspicious or illegal towing operation being conducted in the City of Bacoor.

(b) If the towing truck is not operated by an accredited towing service within the City of Bacoor, the towing incident shall be considered an unlawful act and the tow truck operator shall be penalized for engaging in illegal towing operations. The driver of the said tow truck shall be required to pay a fine of Three Thousand Pesos (Php 3,000.00) and the truck in question shall be impounded by the BTMD.

(c) The traffic aide shall report the illegally operating tow truck to the authorities with complete information on the towing vehicle and the towed vehicle."

Section 139. Towing Fees.— The following towing fees shall be paid by the registered owner of any motor vehicle towed pursuant to the provisions of the Revised Traffic Code:

Type of Motor Vehicle	Minimum	Towing Fee (in pesos)
pedicabs		1 000.00
motorcycle, e-motorcycle, motorized scooter		1.000.00
Tricycle, e-tricycle		2 000.00
light vehicle (sedan or compact cars)		4.000.00
SUV, van, owner-type jeep, multicab, and similar types of vehicles		4.500.00
ieepney		4 500.00
4-wheeler closed van (10 feet long)		5,500.00
4-wheeler closed van (more than 10 feet long)		6,500.00
6-wheeler closed van (ELF)		6 500.00
8-wheeler or 10-wheeler truck or dump truck		9,000.00
tractor head		9 000.00
Triple axle, 12 wheeler, 18 wheeler, 22 wheeler truck		10,500.00
Tractor head with trailer		12 000.00
Heavy equipment such as bulldozers, pavers, and the like		Actual cost incurred by the BTMD in renting a crane and flatbed truck plus other incidental fees for toll fees and the like
Additional fees for towing services in excess of 4 kilometers from point of origin to nearest available impounding area		200.00
Type of Vehicle for clamping		Minimum Clamping Fees
All types of motor vehicle		P500.00 per day

The failure or refusal of the registered owner to pay the corresponding towing fees in full shall result in the impounding of the subject motor vehicle. Aside from the towing fees, the registered owner or driver of the subject vehicle shall also be required to pay the fine corresponding to the offense that was committed. PROVIDED that: accredited tow truck companies shall render their towing services for free in times of

conflagration, earthquakes, flooding, and after the occurrence of other calamities within the City of Bacoor. A tow truck company that violates this provision shall pay a fine of P5,000.00 and return any amount it charged from the owner of the vehicle that was towed. Otherwise, it shall lose its authority to operate within the City of Bacoor for one (1) year.

Section 139-A. Clamping of illegally Parked Vehicles on Secondary Roads and Other Public Places. Illegally parked motor vehicles on secondary roads and other Public Places. Illegally parked motor vehicles on secondary roads and other places in within the City of Bacoor that either impede the flow of vehicular or pedestrian traffic or both shall be clamped by BTMD personnel or barangay officials duly deputized to do so if no tow truck is available to tow them or if towing the said vehicles would obstruct the flow of motor vehicles. Unless registered owner of the clamped motor vehicles pay the clamping fees provided in Section 139, the said clamps shall remain in place until it is removed or until the BTMD tows the vehicle for impounding. In case the vehicle is towed and impounded, the registered owner of the clamped vehicle shall pay the corresponding clamping, towing and impounding fees before the said vehicle can be released.

Section 139-B. Penalty for Tampering, Damaging, Destruction, Vandalizing, or Unauthorized Removal of Tire Clamps. Any person who tampers with the lock of the tire clamp attached by the BTMD to an illegally parked motor vehicle or who damages, destroys, vandalizes or removes the said clamp without the authority of the BTMD shall be required to pay a fine of P2,500.00. If the offender is a minor or a mentally impaired person, the appropriate legal action shall be filed against the parent/s or guardian/s of the said offender.

Section 140. Impounding Fees.— In case the registered owner of the impounded vehicle/s fail to redeem the impounded vehicle/s within the same day when it was impounded, he/she shall be required to pay an administration fee of TWO HUNDRED PESOS (Php 200.00) plus a storage fee of TWO HUNDRED PESOS (Php 200.00) per day shall be imposed against the owner until the said vehicle is redeemed from the BTMD impounding area.

ARTICLE 16. Road Improvements

Section 141. Regulation of Diggings and Excavations. - It shall be unlawful for any person or entities, whether on their own or as contractors to any government agency, local or national, to excavate or dig for the purposes of installing water pipes, telecommunication lines, poles, drainage pipes, and other underground facilities, within roads, streets, thoroughfares and alleys without first securing an excavation permit from the BTMD except in cases of emergency, in which case the permit should be secured within three (3) working days.

Section 142. Prior Review of Digging/Excavation.— The application for temporary closure of a road or part of the road, due to diggings and/or excavation shall be evaluated first by the BTMD so that a timetable, remedial steps, and other precautions can be undertaken to minimize adverse effect on traffic flow.

Section 143. Installation of Warning Signs.— Excavators/diggers must at all times put up and maintain precautionary road signs warning of excavation works ahead to ensure the safety of motorists and pedestrians.

Section 144. Restoration of Roads.— All areas dug or excavated must be properly restored to its original form under the standard specification for road construction. To ensure restoration, the party undertaking the digging or excavation shall post a bond equivalent to one hundred fifty percent (150%) of the cost to restore the same, the amount to be determined by the City Engineer. The bond shall be forfeited in favor of the City government if restoration work is not commenced within ten (10) days from completion of the excavation, which should be completed within the same number of days for which the excavation had been authorized. Deposit shall be released within five (5) days after determination by the City Engineer or his authorized representative that the road has been restored satisfactorily.

ARTICLE 17. The Solidarity Route

Section 145. Establishment of the Solidarity Route. -The rules governing vehicular traffic decongestion scheme to be known as the "Solidarity Route Program" is hereby promulgated.

Section 146. Policy/Objective.- The establishment of the Solidarity Route is intended to achieve the following:

- a. Reduce the heavy volume of vehicles passing along major thoroughfares in the City of Bacoor particularly during rush hours;
- b. Give various homeowners' associations in Bacoor a stake in improving the traffic situation in the city; and
- c. Give homeowners' associations to be affected by the Solidarity Route Project with an assurance of peace and security within their respective territorial jurisdiction.

Section 147. The Solidarity Route Sticker and the Special Bacoor Resident Card. Access to the Solidarity Route shall be limited to those motor vehicles that has a genuine and valid Solidarity Route Sticker and/or to passengers of the said motor vehicles who possess a valid Special Bacoor Resident (SBR) Card. The Solidarity Route Sticker and the SBR Card shall be issued by the E-Governance Department or by any other department under the Office of the City Mayor authorized to do so by written order of the City Mayor.

Section 148. Solidarity Route. The Solidarity Route shall be comprised of the main thoroughfares located in the following residential subdivisions:

1. F&E De Castro Village
2. Vista Verde Subdivision
3. Addas Village
4. Bellazona Subdivision
5. Town and Country Subdivision
6. Camella Springville Subdivision
7. Queensrow East, Central, and West Subdivisions
8. Gardenia Valley Subdivision
9. Soldier's Hills Subdivision
10. San Miguel I Subdivision
11. Villa Felicia Residential Subdivision
12. Progressive Village
13. Perpetual Village VII
14. Sampaguita Subdivision
15. Camella Salinas
16. Meadowoods Executive Village
17. Bahayang Pagasa Subdivision

The enumeration above is not an exclusive list. Other roads and streets situated within the various residential subdivisions within the City already forming part of the Solidarity Route prior to the approval hereof shall also be covered by this Ordinance. Other homeowners associations operating within the City of Bacoor are encouraged to participate in the Expanded Solidarity Route Project thru the submission of a Board Resolution manifesting their intent towards the same to the Office of the City Mayor.

The Bacoor Traffic and Management Department (BTMD) shall determine the names of the roads and streets within the afore-mentioned subdivisions comprising the Solidarity Route and shall enumerate them in the Implementing Rules and Regulations (IRR) of this Ordinance.

The use of the Solidarity Route Sticker and SBR Card is limited to the said roads and streets as provided in the IRR of this Ordinance. A vehicle equipped with a Solidarity Route Sticker shall not access any road or street located within the covered subdivision unless the homeowners association of the said community allowed such access.

Section 149. List of Roads/Streets Comprising Route Subject To Change. The list of the roads and streets comprising the Solidarity Route as determined by the BTMD and mentioned in the IRR hereof may be changed/alterd depending on the recommendation of the BTMD, the approval of the City Mayor with the conformity of the Sangguniang Panlungsod thru an ordinance, and the consent of the homeowners associations (HOA) of the residential subdivisions concerned.

The addition or exclusion of any road or street in the Solidarity Route shall be subject to the approval of the participating HOA through its issuance of a Board Resolution and the execution of a Memorandum of Agreement between the City Government of Bacoor and the HOA concerned.

Section 150. Who May Use The Solidarity Route. Only the following persons may use the Solidarity Route:

- a. Motorists who secured a valid Solidarity Route sticker that is properly mounted on the windshield of their owned motor vehicle; and
- b. Passengers of motor vehicles who possess a valid SBR Card as validated by the electronic console, or any similar device, to be placed by the BTMD at the entrance and exit gates of the residential subdivisions covered by this Ordinance.

The Office of the City Mayor, the BTMD and the E-Governance Department shall determine the process of review and evaluation of the authenticity of the Solidarity Route Sticker and SBR Card and the manner of inspecting the vehicles concerned.

Section 150.1. Exemptions. The following are exempted from the rules enumerated in Section 6 hereof:

1. Properly marked government-owned vehicles used only in official government business;
2. Vehicles used as public utility vehicles such as but not limited to tricycles or other modes of transportation legally allowed to transport persons or cargo within the residential subdivisions covered by this Ordinance in accordance with prevailing laws and rules;
3. Vehicles used by residents of the residential subdivisions covered by this Ordinance subject to the rules and regulations of the HOA concerned; and
4. Other vehicles as may be determined by the Office of the City Mayor thru the recommendation by the BTMD, and the affected HOA.

Section 150.2. Period of Validity of a Solidarity Route Sticker. A Solidarity Route Sticker and SBR Card shall be valid for three (3) years from the moment of its issuance.

Section 151. How To Secure A Solidarity Route Sticker and SBR Card. A Solidarity Route sticker shall be issued by the Office of the City Mayor to the authorized representative of each homeowner's association for distribution exclusively to qualified residents of the City of Bacoor. The SBR Card, on the other hand, shall be issued exclusively by the E-Governance Department of the City of Bacoor.

The E-Governance Department and the BTMD shall determine in the Implementing Rules and Regulations the procedure for identifying those who shall be eligible to a Solidarity Route Sticker and SBR Card, the number of stickers/cards to be issued to each participating HOA, and the process of distribution.

Applicants for a Solidarity Route sticker and/or SBR Card or their agents who possess a valid special power of attorney authorizing the latter to apply for a Solidarity Route Sticker and/or SBR Card must present/submit a photocopy of the following documents, to wit:

1. For Solidarity Route Sticker
 - a.) Original Driver's License with a photocopy thereof;
 - b.) Original and photocopies of Official Receipt and Certificate of registration of the vehicle where the sticker will be mounted;
 - c.) Original copy of Barangay Clearance;
 - d.) Original Homeowners' Association (HOA) endorsement /certificate.
 - e.) In case of a paying applicant of a Solidarity Sticker a photocopy of Original Receipt issued by the City Treasurer's Office corresponding to the payment of fees; and
 - f) Community Tax Certificate issued by the City Government of Bacoor except for non-Bacoor Resident applicants.
2. For SBR Card
 - a) Community Tax Certificate issued by the City Government of Bacoor except for non-Bacoor Resident applicants
 - b) Certificate of Residence issued by the Punong Barangay of the barangay within the City of Bacoor where the applicant resides; and

- c) Any other proof of residence within the City of Bacoor such as billing statements, valid employment IDs, driver's license, and the like.

Section 152. Fees. The following fees shall be paid by the applicant for a Solidarity Route Sticker and/or SBR Card to the Office of the City Treasurer who shall issue an official receipt therefore:

- a.) In case the person is a member or a resident of a Homeowners Association which forms part of the Solidarity Route – no fee or charge shall be imposed upon them;
- b.) A Bacoor Resident who is not a member or a resident of a Homeowners Association which form part of the Solidarity Route – a fee of Three Hundred Pesos (PHP 300.00) shall be required.
- c.) A non-Bacoor Resident who wishes to apply for a Solidarity Route sticker or SBR Card shall be required to pay a fee of Three Thousand Pesos (PHP 3,000.00).

Section 153. Solidarity Route Sticker and SBR Card Design Features. The Solidarity Route sticker shall be designed by the E-Governance Department with the approval of the Office of the City Mayor and shall contain such features that will make it distinct, easy to spot even from a distance, and very hard to falsify. The E-Governance Department shall determine the specifications of the Solidarity Route Sticker and its features in the IRR.

The SBR Card shall also be designed by the E-Governance department in such a way that its authenticity can be easily and quickly determined with the use of scanners or other electronic devices compatible with near field communication (NFC), quick response (QR) code, radio frequency identification (RFID) or other analogous technologies. The E-governance Department shall insert security features in the design of the SBR Card to protect the holders of such cards from cyber-attack, identity theft, and other criminal activities. The E-Governance Department shall also ensure that the design of the software of the SBR Card as well as the procedures for its use and validation shall not compromise the data privacy rights of individuals pursuant to the provisions of Republic Act No. 10173 (the "Data Privacy Act") and its implementing guidelines.

Section 154. Where to Mount the Solidarity Route Sticker. For easier identification and monitoring, the Solidarity Route sticker shall be mounted on the upper right corner of the windshield of the vehicles (facing the vehicle). Vehicles with improperly mounted or counterfeit stickers may be denied entry by the Homeowners Association or by any City Government employee tasked to implement this Ordinance or any provisions of the aforementioned Memorandum of Agreement.

Section 155. Use of the SBR Card to Gain Access to the Solidarity Route. Any holder of a valid SBR Card may use the same to gain access to the Solidarity Route subject to his/her strict compliance to the following rules:

1. Only the holder of the SBR Card shall use it. In case the SBR card issued to him/her is lost or gets stolen, the registered holder of the said card shall notify the E-Governance Department of such loss within 48 hours either in writing, via email, text message, or other expeditious way so as to prevent its unauthorized use.
2. The holder of a valid SBR Card shall present the same upon demand by any security guard of any residential subdivision covered by this Ordinance, by any person in authority, or by any agent of a person in authority authorized to enforce any city ordinance by the City Mayor.

Section 156. Installation of Scanners and CCTV Cameras. The BTMD, City Engineering Office, and E-Governance Department are hereby authorized to install scanners and other devices capable of validating the authenticity of SBR cards and Solidarity Route Stickers. The said offices are also authorized to install closed circuit television (CCTV) cameras at the entrance/exit gates and at other places within the residential subdivisions covered by this Ordinance. The installation of the said devices, scanners, and cameras shall be done only after written authority by the President of the HOA concerned and by the City Mayor.

Section 157. Deputation of Homeowners' Associations and their Retained Security Guards. The City Mayor is hereby empowered to issue orders deputizing the duly elected officers of homeowners associations, members of neighborhood associations, and persons of good moral character operating and/or residing in the City of Bacoor, Cavite in the implementation of this Ordinance. The said power includes the power to identify the provisions of this ordinance to be implemented, the length of time of the

said deputation, the conditions of the said deputation, the grounds that can be used to revoke the powers delegated to the said HOAs, and the deputation of the security guards employed by the said HOAs that are actually working in the residential subdivisions where the said associations operate. Provided that: no HOA shall be deputized to implement this ordinance if majority of the officers and members of the said association refused to accept the said responsibility expressed through a Board Resolution and to undergo training necessary for the effective implementation of the said legislative measures.

The persons who will be deputized by the City Mayor by virtue of this Ordinance shall henceforth be referred to as the "**deputies**". Any deputy residing in any residential subdivision covered by this Ordinance who underwent the necessary training with the BTMD and the City Inspection and Compliance Unit (CICU) who is armed with the appropriate Ordinance Violation Receipts may implement the various provisions of this Ordinance and other city ordinances. Homeowners' Associations which participate in the Solidarity Route project, together with their employees, officers, or security guards, are hereby deputized to do the following:

- a. Confiscate falsified Solidarity Route stickers;
- b. Deny entry to those motor vehicles that have no Solidarity Route stickers, HOA stickers, or that does not have a passenger bearing a valid SBR Card;
- c. Facilitate entry to those who are not equipped with Solidarity Route stickers but are currently facing health emergencies; and
- d. Allow officials and employees of the city government traveling to or from their places of work or while in the process of performing their official functions to enter the residential subdivision where the said deputies are assigned.

Section 158. Authority to Charge Entrance Fees; Exemption of Deliveries of Food Products and Other Perishable Goods from Payment of Fees. Participating Homeowners' Associations may charge an entrance fee to the driver of any vehicle that does not bear a valid and properly-mounted Solidarity Route Sticker or to any person not residing in the said subdivision who does not bear a valid SBR Card. Provided that the HOA shall issue a valid Board Resolution providing for the fees to access the Solidarity Route traversing their subdivision. Provided further, that the access fee shall not be more than Ten Pesos (PHP 10.00) for two-wheeled vehicles and four-wheeled light vehicles, and Twenty Pesos (PHP 20.00) for trucks regardless of displacement. Motor vehicles delivering food products, vegetables, perishable goods, and water shall be exempted from paying the said fees.

Any income realized by the Homeowners' Association in this regard, shall be exempted from any fee that may be imposed by the City Government. The HOA shall only be allowed to charge Entrance Fees as provided in this Section after the express and written consent by the Office of the City Mayor.

Section 159. Assignment of City/Police Personnel. The City Government shall assign such number of police personnel and/or BTMD personnel that might be needed to secure the entrance/exit gates and roads mentioned above at no cost to the Homeowners' Association.

Section 160. Construction and Maintenance of Solidarity Routes. The City Government, if needed, shall construct, and maintain security gates and/or street barriers, lamp posts, speed bumps, and signages within any subdivision covered by the Solidarity Route project at no cost to the Homeowners' Association in order to regulate and secure access thereto. The City Government shall maintain/repair/secure the roads/routes mentioned above and implement various traffic mitigation measures. The installation and maintenance of all street lights along the said roads/routes shall also be shouldered by the City Government. The various HOAs covered by this Ordinance shall be responsible for the preservation of the above enumerated constructions.

Section 161. Clearing of Road Obstructions. The BTMD shall be allowed to clear and abate any illegal road obstruction and illegally parked motor vehicles found in the routes mentioned in this Ordinance without prejudice to prevailing laws, ordinances, and rules and regulations.

Section 162. Speed Limit. A thirty kilometer per hour (30 KPH) maximum speed limit shall be strictly implemented within the subdivisions comprising the Solidarity Route.

Section 163. Ban Against Smoke Belching and Noise Pollution. Smoke belching motor vehicles or motor vehicles that produce extremely loud noise in violation of City Ordinance No. 5-2014 (the "2014 Anti-Motor Vehicle Noise Pollution Ordinance of the City of Bacoor") driven by non-residents of a particular subdivision may be denied access to the Solidarity Route by the deputies residing within the said community.

Section 164. HOA/Developer/Owner's Consent. The participating or affected Homeowners' Association, or Developer, or private person or entity who owns the road lots covered and affected by this Ordinance shall signify their consent thru a Board Resolution and shall enter into a Memorandum of Agreement, or tripartite Memorandum of Agreement with the City Government in connection with the implementation of this Ordinance in their respective communities/properties. A Homeowners' Association already forming part of the Solidarity Route shall be required to issue the necessary Board Resolution and shall also enter into a new Memorandum of Agreement with the City Government. The City Mayor is hereby empowered to enter into a Memorandum of Agreement with Homeowners Associations who shall be affected by this Ordinance.

Section 165. Designation of Expanded Solidarity Route Segments. The Solidarity Routes enumerated in Section 3 of this Ordinance and such other routes as may be determined in the future may have an official solidarity route **designation** which is separate and distinct from their respective official names. The said designations shall be used by the BTMD and other departments of the city government in monitoring, maintaining, and securing the roads/streets comprising the Solidarity Route. The designation shall be made by the City Mayor thru an Executive Order *motu proprio* or upon the recommendation of the BTMD, and the participating HOA thru a Board Resolution for that specific purpose.

Section 166. Access Hours. Only vehicles that bear a valid Solidarity Route Sticker shall be allowed to use the Solidarity Route which shall only be accessible from 5:00 A.M. to 10:00 P.M. every day including public holidays. The Homeowners Association shall not charge any amount against, nor deny entry to, any motorist whose driven vehicle bears a valid and properly mounted Solidarity Route sticker unless otherwise allowed by prevailing laws, ordinances, rules and regulations. The City Mayor is empowered to modify the access hours under this Ordinance upon the recommendation of the BTMD.

Section 167. Penalties for Violations of Rules Related to the Solidarity Route.

- a. The violator of any of the rules related to the Solidarity Route shall be punishable with an administrative fine of THREE THOUSAND PESOS (PHP 3,000.00) payable to the Office of the City Treasurer.
- b. The following acts shall be punishable with an administrative fine of FIVE THOUSAND PESOS (PHP 5,000.00) payable to the Office of the City Treasurer, or with a thirty (30) day imprisonment, or with both fine and imprisonment upon conviction by the court of proper jurisdiction, to wit:
 1. Misrepresentation or submission of false information in acquiring a Solidarity Route Sticker or SBR Card;
 2. Sale of a Solidarity Route sticker or SBR Card;
 3. Use of a fake Solidarity Route sticker or SBR Card;
 4. Use or mounting a Solidarity Route Sticker apart from the vehicle as declared in its application;
 5. Use of a Solidarity Route Sticker to access roads and streets not provided for under this Ordinance or its IRR unless allowed by the HOA;
 6. Unauthorized use of the Solidarity Route without the proper Solidarity Route Sticker or without payment of the proper fees due to the HOA;
 7. Misuse of data or information collected under this Ordinance and its IRR; and
 8. Commission of any act analogous to the acts above mentioned.

**ARTICLE 18.
Grievance Resolution Procedures**

Section 168. Grievance Resolution. The following grievance resolution procedures shall be observed in relation to the implementation of the Traffic Code.

168.1. Initial Complaints and Queries. All complaints and queries must first be filed with the BTMD if based on questions of fact and in the Office of the City Legal Service (OCLS) for questions of law. There is a question of fact when the doubt arises as to the truth or falsity of the alleged facts, while a question of law arises when there is doubt as to what the law or ordinance is on a certain state of facts.

For questions of fact, the BTMD shall only entertain the complaints or queries of the alleged offender on the issue as to whether or not an act was performed, or an omission was made, in relation to the alleged violation(s) of this Ordinance. For questions of law, the OCLS shall only entertain the

complaints or queries of the alleged violator on the issue as to whether or not the undisputed facts, as to the act or omission in relation to the alleged violation, constitute violation(s) of this Ordinance. In addition, the OCLS may explain to the alleged violator the procedure or steps available;

168.2. Period to File. The complaint or query must be raised with the BTMD or OCLS, or both, within three (3) calendar days following the receipt of the OVR. The complaint shall not be entertained unless the complainant agrees to pay the fine under protest in the manner described in Section 166.1 hereof. Otherwise, the filing of subsequent complaint or protest will be discretionary subject to good cause shown. If the alleged violator is not satisfied with the explanations of the BTMD or the OCLS, or both, the procedure in the proceeding sections may be availed of the alleged violator.

168.3. Resolution of Initial Complaint or Query. The resolution of initial complaint or query shall form part of the records in the subsequent adjudication if made in writing and signed by the alleged violator and the traffic enforcer(s) involved, as attested by the BTMD or OCLS, or both.

Section 169. Bacoar City Traffic Adjudication Board (BCTAB). There is hereby created a Bacoar City Traffic Adjudication Board (BCTAB) that shall resolve all questions and protests pertaining to violation of this Ordinance, except for the (a) the validity of this Ordinance or any provision thereof, (b) the amount of penalty or fine imposed by this Ordinance, and (c) matters pertaining to the administrative, civil and criminal liability of the administrative traffic constable.

169.1. Composition. The BCTAB shall be composed of the following:

- (a) The City Administrator, as Chairperson;
- (b) The City Legal Officer, as Vice-Chairperson;
- (c) The City Councilor who is also the Chair of the Peace and Order Committee;
- (d) The City Councilor who is also the Chair of Barangay Affairs Committee;
- (e) The Chairperson of the Committee on Public Transportation and Management of the Sangguniang Panlungsod or of the Committee on Government Enterprises and Privatization and Public Franchises;
- (f) The Head of the BTMD; and
- (g) Representative from the Office of the City Mayor.

169.2. Quorum. A majority of all members present shall constitute a quorum, provided that the Chairperson or the Vice-Chairperson shall be present. The decision of the majority of BCTAB members present where there is quorum shall be a valid and binding act.

169.3. Meetings. The BCTAB shall determine their regular meeting day, time and place which shall be in intervals of one (1) week. In case of postponement of meeting, the BCTAB shall meet immediately the next working day, continuously, until all the cases originally scheduled have been resolved.

169.4. Secretariat. The OCLS shall be the Secretariat of the BCTAB.

169.5. Payment In Protest. An alleged violator may pay under protest with the BTMD. The BTMD Traffic Operations Officer shall deposit the amount in a bank account opened jointly by the Traffic Operations Officer, the City treasurer, and the City Accountant for the sole purpose of holding the fines paid under protest in escrow. A provisional receipt shall be issued by the BTMD in favor of the alleged offender together with a photocopy of the deposit slip issued by the bank. The words "UNDER PROTEST" shall appear on the face of provisional receipt. If the Driver's License was confiscated, the same shall be returned to alleged violator upon such payment, without prejudice to the refund thereof after a favorable resolution by the BCTAB. If the official receipt evidencing the payment of fine does not bear the phrase "UNDER PROTEST" or similar wordings, it shall operate as a waiver on the part of the alleged violator to claim for the refund of any payment already made.

169.6. Procedure in Adjudication. The BCTAB is hereby empowered to create its own rules of procedure in deciding complaints and protests filed with it, subject to approval by the City Mayor through the issuance of an Executive Order. However, no complaint or protest shall be entertained by the BCTAB unless: (1) an OVR is issued against the alleged violator, (2) the complaint or query is first raised by the alleged violator in the BTMD or OCLS, or both, and (3) the resolution or endorsement of the same have been issued therefrom.

169.6.1. Form and Timeliness of Complaint. The complaint or protest must be in writing, dated and signed, and must be filed within three (3) calendar days following the receipt of resolution

by the BTMD or OCLS, or both, to the Secretary of the BCTAB, and must contain the following jurisdictional facts:

- a) Name, age, and address of the alleged violator named as "Complainant";
- b) Name of the BTMD traffic enforcer, issuing the OVR, complained of as "Respondent";
- c) The specific provision(s) of this Ordinance violated as clearly appearing in the copy of the attached OVR, as the case may be;
- d) The failure of the BTMD or OCLS, or both, to resolve the factual or/and legal issues as evidenced by the copy of the attached resolution(s);
- e) The Provisional Receipt of payment "UNDER PROTEST";
- f) Narration of the facts and circumstances surrounding the alleged violation;
- g) Narration of the witness(es) supporting the claim of the Complainant, if any, and,
- h) The prayer or relief sought.

169.6.2. Response to the Complaint. Within three (3) calendar days upon receipt of the copy of the Complaint, the Respondent(s) shall file the Response, individually or collectively, with the Secretary of the BCTAB.

169.6.3. Summary Hearing, failure to appear. Within five (5) calendar days upon filing of the Complaint, the case shall be scheduled for a summary hearing where the attendance of both the Complainant and the Respondent shall be required. Failure of the Complainant to appear on such scheduled hearing shall cause the outright dismissal of the Complaint, except for good cause shown. Failure of the Respondent to appear on such scheduled hearing shall prompt the BCTAB to decide the case on the basis solely of records available.

169.6.4. Resolution of the case. The resolution by the BCTAB shall be issued within the same day of the summary hearing either granting or denying the prayer in the Complaint.

(a) If the case is decided in favor of the Complainant, his/her Driver's License, if still with the BTMD, shall be returned to him/her, or if there is already the payment under protest, the amount paid shall be refunded accordingly.

(b) If the case is decided in favor of the Respondent, the Complainant shall be ordered to pay the fine corresponding to the violation(s) and his/her Driver's License, if confiscated, shall be returned to him/her upon payment. No further action or payment shall be required if payment under protest have been previously made.

169.6.5. Finality of Resolution. The resolution issued by the BCTAB shall be final and executory upon receipt by the parties of the copy of such resolution and shall not be appealable.

169.6.6. Refund of Payment Under Protest. If the BCTAB rules in favor of the complainant, the provisional receipt shall be cancelled and the fine deposited in the above-mentioned account shall be returned to the complainant in full. If the BCTAB does not rule in favor of the complainant, the fine deposited in the above-mentioned account shall be deposited in the account of the city government and an official receipt shall be issued in favor of the complainant."

Section 170. Authority of the City Mayor to Partially Condone Fines. The City Mayor is hereby authorized to partially condone the various fines provided under the Revised Traffic Code due to humanitarian grounds. **Provided that:** (1) such condonation shall not exceed fifty percent (50%) of the fine imposed, and (2) the alleged violator shall execute a waiver in writing admitting the violation and waiving his/her right to file a complaint or protest for the same violation.