



Republic of the Philippines
City of Bago
OFFICE OF THE SANGGUNIANGPANLUNGSOD

ORDINANCE NO.17-04

ROAD SAFETY ORDINANCE OF BAGO CITY

EXPLANATORY NOTE:

WHEREAS,the City of Bago is among the Local Government Units which promote and advance the policy on violence and injuries prevention in particular to promote aculture of safety on roads as enunciated under Administrative Order No. 2014-0002 entitled a National Policy on Violence and Injuries Prevention Program (VIPPP) by the Department of Health;

WHEREAS,with noted increase of road mishaps and accidents the need to espouse and raise the level of awareness and for the component barangays to jointly and harmoniously advocate and implement the road safety regulation of Bago City;

WHEREAS,by providing standards of safe driving for road users and enacting measures for road safety purposes, injuries or accidents may be mitigated, if not, stopped from increasing;

NOW THEREFORE, on motion of SP MemberJozsef Mark Dexter M. Somcio, unanimously seconded by SP Memberspresent, BE IT ORDAINED, by the Sangguniang Panlungsod of the City of Bago in Regular Session assembled hereby adopts the following:

Section 1.Title. This ordinance shall be known as the "Road Safety OrdinanceofBago City."

Section 2. General Objective. To address the increasing number of road mishaps/accidents in the City of Bago.

Section 3.Specific Objectives.

- 3.1 To decrease cases of crashed vehicle and road accidents in the City of Bago.
- 3.2 To maintain risk-free roads in the City.
- 3.3 To promote respect and harmony among road users and pedestrians.
- 3.4 To teach younger generations and even the present ones the importance of road andpedestrian safety.
- 3.5 To provide safety and immediate road access to all road users especially in times of emergencies.

Section 4.Definition of Terms – As used in this Ordinance, the terms below shall have the meanings ascribed to them in this section. Any words or terms not defined shall be given their plain mean and customary meanings, unless the context requires otherwise and shall be integrated in a manner consistent with the purpose and spirit of this Ordinance.

- a. Alcohol – refers to alcohol beverages classified into beer, wine and distilled spirits, the consumption of which produces intoxication.
- b. Breath Analyzer – refers to equipment which can determine the blood alcohol concentration level of a person through testing of his/her breath.
- c. Chemical tests – refer to breath, saliva, urine or blood tests to determine the blood alcohol concentration level and/or positive indication of dangerous drugs and similar substances in a person's body.
- d. Double Parking – refers to putting into a halt or parkingavehicle on the roadway side of another vehicle already stopped.
- e. Driving under the influence of Alcohol – refers to 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, as established jointly by the Department of Health (DOH), the

National Police Commission (NAPOLCOM) and the Department of Transportation and Communication (DOTC).

- f. Driving under the influence of dangerous drugs and other similar substances – refers to the act of operating a motor vehicle while the driver, after being subjected to a confirmatory test as mandated under Republic Act No. 9165, is found to be positive for use of any dangerous drug.
- g. Drying of Palay in the National, City and Barangay Roads – refers to the act of making the National, City and Barangay road as place/area for drying palay and putting barricades on both ends.
- h. Motor Vehicle – refers to any land form of transportation vehicle propelled by any power other than muscular power.
- i. Motor Vehicles designed to carry hazardous materials – refer to those designed to carry or transport materials which may endanger health and lives of the public.
- j. Parking – refers to the act of putting into a halt a motor vehicle beside the road and leaving the premises of the vehicle for more than five (5) minutes.
- k. Public Utility Vehicle – refers to motor vehicles for hire and used to carry or transport passengers and goods e.g. Tricycles, Jeepney, Buses
- l. Pedicabs – A bicycle/pedal driven vehicle with a side cabin carrying passengers mostly in urban barangays.
- m. Road Shoulders -

Section 5. Prohibited Acts – The following acts are declared unlawful and prohibited by this Ordinance:

- a. Driving under the influence of Alcohol or Dangerous Drugs.
- b. Drying of Palay along the National, City and Barangay Roads within the City of Bago.
- c. Stockpiling of construction materials along the National, City and Barangay Roads except those intended for the implementation of government projects provided warning devices are installed.
- d. Parking on the National, City and Barangay Roads within the City of Bago covering more than 3 feet of the road from its shoulder.
- e. For Public Utility Vehicles, for stopping and dropping passengers on the Roads within Bago City covering more than four (4) feet of the road from its shoulder.
- f. To double park along National, city and Barangay Roads within the City of Bago.
- g. Parking/Washing of vehicles on overflow bridges.
- h. Overloading of passengers in Public Utility Vehicles according to required capacity.
- i. Modifying of vehicles' lights and mufflers and installation of sound systems causing vision and hearing disturbances to drivers of other vehicles, the driver of the vehicle itself, other road users, and the general public.
- j. Removing of side mirrors in vehicles causing vision impairment of trailing and overtaking vehicles.
- k. Slow moving vehicles, motorcycles and tricycles using the inner lane in a four lane road, must take the outer lane always.
- l. Plying of pedicabs in National roads and Highways.
- m. Ambulant vending in road shoulders
- n. Planting of crops, trees and ornamentals in road shoulders

Section 6. Designation of School Crossing Enforcer, Pedestrian Crossing lanes and PUV Stops

Pedestrian crossing lanes and PUV Stops shall at all times be visible whenever applicable:

- a. Pedestrian Lanes whenever applicable must be painted by a reflectorized paint on the road.
- b. PUV stops and any related signage shall be posted clearly on the sidewalk abutting the road.
- c. Pedestrian lanes in every school shall have a School Crossing Enforcer who shall be responsible for guiding students in road crossing and to control the traffic to maintain road safety in the area.

Section 7. School Based Road Safety Measures

All educational institutions, private and public, are strongly encouraged to include in their instructions the provisions in this ordinance, emphasizing the advantage of a safety road as part of their daily route in going to their school.

Section 8. Community Based Pedestrian Trainings

A practical roadside pedestrian training shall also be encouraged in every barangay, other sectors as part of their road safety awareness.

Section 9. Implementation. The Traffic Management Unit of Bago City PNP and its other authorized groups or units shall serve as the implementing arm of this ordinance.

Section 10. Penalty Clause

Violation of any provision of Section 5 of this Ordinance shall be punishable by a fine as follows:

- 1st offense - P500.00
- 2nd offense - P1,000.00
- 3rd and succeeding offenses - P3,000.00

For acts in violation of par.(b)of Section 5 hereof, the owner of palay shall be responsible for the payment of the fine.

For acts in violation of par.(i) of Section 5 hereof, the modified lights, muffler and sound system shall also be confiscated in the second and succeeding offenses.

Of the collected fine 20% shall be given as incentives to the enforcers directly involved in the apprehension and 80% shall accrue to the general fund of the City.

Section 11. Repealing Clause

All ordinances, rules and regulations, or parts thereof, whose provisions are in conflict with, or contrary to the provisions of this Ordinance are hereby repealed, amended and modified accordingly.

Section 12. Effectivity. This Ordinance shall take effect upon approval and publication in a newspaper of local circulation as required by law.

Enacted March 1, 2017.

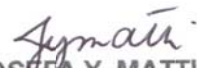
I hereby certify to the correctness of the foregoing Ordinance which was duly enacted by the Sangguniang Panlungsod during its regular session held on March 1, 2017.

CERTIFIED CORRECT:

ATTESTED:



VICENTE D. MESIAS
Supervising Environmental Management Specialist/
City Secretary-Designate


MA. JOSEFA Y. MATTI
SP Member-Acting Presiding Officer

Approved this 9th day of March, 2017.

APPROVED:


NICHOLAS M. YULO
City Mayor