



Republic of the Philippines
City of Bago
OFFICE OF THE SANGGUNIANG PANLUNGSOD

ORDINANCE NO. 19-04

AN AMENDATORY ORDINANCE AMENDING SECTIONS 5, 9 AND 10 OF ORDINANCE NO. 17-04 AS AMENDED BY ORDINANCE NO. 17-09, OTHERWISE KNOWN AS THE ROAD SAFETY ORDINANCE OF BAGO CITY.

Explanatory Note:

WHEREAS, there are laws at the national level that needs to be incorporated in the Ordinance to further ensure better road safety management in the local government, and

WHEREAS, the August body is of the consensus to update, upgrade and improve local ordinances to be more attune with the needs of the time.

NOW, THEREFORE, upon motion of SP Member Jozsef Mark Dexter M. Somcio, unanimously seconded by SP Members present, be it enacted by the Sanggunian Panlungsod, that:

SECTION 1. Sections 5, 9 and 10 of Ordinance No. 17-04 as amended by Ordinance No. 17-09 shall now read as follows:

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

Xxxxx Xxxxx.... Xxxxx

r. Operating a two-wheeled motorcycle on public roads if a child is on board, specifically if there's a heavy volume of vehicles, there's a high density of fast moving vehicles, or where there's a speed limit of more than 60 kph is imposed, except if the child's feet can comfortably reach the motorcycle's foot peg for the pillion rider, the child's arms can reach around and grasp the waist of the motorcycle rider and the child is wearing a standard protective helmet, or if the child being transported requires immediate medical attention.

s. Using communication devices and other electronic entertainment and computinggadgets while vehicles are in motion or temporarily stopped on a traffic light or an intersection except to make or take emergency calls to authorities in case of a crime, accidents, bomb or terrorist threat, fire or explosion, instancesneeding immediate medical attention, or when personal safety and security is compromised.

t. Failure to wear or use seat belt devices while inside a vehicle of running engine on any road or thoroughfare by a driver and front seat passenger of a public or private motor vehicle.

u. Loading cargo trucks beyond 14 feet from the ground.

The following violations shall cause the impounding of a motor vehicle:

1. Unregistered/Improperly registered/delinquent or invalid registration
2. Unregistered substitute or replacement motor, vehicle engine, engine block or chassis
3. Unauthorized change of color or configuration
4. Operating, allowing the operation of a motor vehicle with a suspended or revoked Certificate of Registration
5. Using license plates different from the body number
6. Illegal Transfer of plates, tags, or stickers
7. Violations involving absence of required parts, stock accessories or devices or defective parts, accessories or devices which pose danger to the public
8. Authorized route not properly painted
9. Unauthorized/improvised number plates
10. Failure to paint on vehicle business or trade name
11. Failure to paint required markings
12. No body number for Public Utility Vehicle (PUV)
13. Using radio or stereo in violation of existing regulation or without the necessary permit, or in breach of the condition in permit regulation.
14. Installation of jalousies, curtains, dim colored lights, strobe lights, dancing lights or similar lights, colored tinted or painted windshield on window glass on "for hire" vehicles
15. Driving without a license plate

- 16. Fake drivers license/ Ordinance Violation Receipt (OVR)
- 17. Fake sticker
- 18. Fake license plate
- 19. Fake Official Receipt and Certificate of Registration
- 20. Tampered documents pertaining to franchising, registration and licensing
- 21. Failure to present any document regarding motor vehicle at the time of apprehension
- 22. Breach of Franchise Conditions
- 23. Expired/No drivers license
- 24. Expired Traffic Violation Receipt
- 25. Use of Driver's License belonging to another
- 26. Involved in Accidents and Commission of the Crime
- 27. Illegally Parked

The vehicle shall be impounded at the Old DPWH Compound and shall be released upon presentation of official receipt issued by the City Treasurer's Office after payment of the prescribed fine.

Xxxx XxxxXxxx.....

Section 9. Implementation. The Traffic Management Division of the City Mayor's Office in coordination with Bago City PNP and its authorized groups or units shall serve as the implementing arm of this Ordinance.

A road safety orientation conducted by the Traffic Management Division shall be a requisite for the issuance/renewal of franchise and Mayor's Permit and Business License.

Section 10. Penalty Clause

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Of the collected fine, 20% shall be given as incentives to the enforcers directly involved in the apprehension, 30% shall accrue to the General Fund, while the remaining 50% shall be deposited to a Special Account within the General Fund which shall be created by virtue of this Ordinance to be used for road safety education, medical services, engineering and procurement of personnel protective gears and equipment."

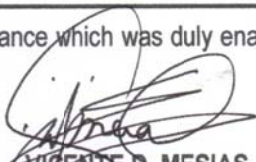
SECTION 2. Separability Clause. If for any reason or reasons, any part or provision of this Ordinance shall be held to be unconstitutional or invalid, other parts or provisions thereof which are not affected shall continue to be in full force and effect.

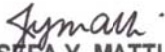
SECTION 3. Repealing Clause. All Ordinances, rules and regulations, or parts thereof, which provisions are in conflict with, or contrary to, the provisions of this Ordinance are hereby repealed, amended and modified accordingly.

SECTION 4. Effectivity Clause. This Ordinance shall take effect upon approval or after the same be published in full for three(3) consecutive days in a newspaper of local circulation, whichever comes later.


Enacted, February 27, 2019.

I hereby certify to the correctness of the foregoing Ordinance which was duly enacted by the Sangguniang Panlungsod during its regular session held on February 27, 2019.


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

ATTESTED:

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

Approved this 12th day of March 2019.


NICHOLAS M. YULO
 City Mayor