



Republic of the Philippines
SANGGUNIANG PANLUNGSOD
City of Mandaluyong

ORDINANCE NO. 358, S-2005

TRAFFIC MANAGEMENT CODE OF THE CITY OF
MANDALUYONG, METRO MANILA

ARTICLE I
GENERAL PROVISIONS

SECTION 1. TITLE. This Ordinance shall be known and cited as the Traffic Management Code of the City of Mandaluyong, Metro Manila.

SECTION 2. SCOPE OF APPLICATION. This Ordinance provides for the traffic rules and regulations on all roads in the City whether national or local in classification; pedestrian rules and regulations; vehicle stops and transport terminals; 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; day-parking zones and night-parking zones; and in general, such other rules and regulations hereinafter promulgated in furtherance of an optimum utilization of the road network in the City of Mandaluyong, where the context applies, the rules shall also apply to public places.

SECTION 3. DECLARATION OF POLICY. It is hereby declared the policy of the City of Mandaluyong that:

- a. the flow of people and goods through the road network shall be as efficient, safe, unhampered and orderly as possible for the economic and social vitality and viability of the City;
- b. urban road space is a scarce commodity the competing use of which must be allocated for the greatest good and the greatest number through judicious, fair, participatory and informed traffic management system;
- c. traffic problems and issues must be resolved in a rational manner, guided by facts and shaped through consultation, collaboration, and coordination with the surrounding Municipalities and Cities, with the Metropolitan Manila Development Authority, as well as national agencies like the Department of Public Works and Highways and the Department of Transportation and Communications;
- d. the public has the right to be informed *a priori*, and to participate in the formulation of any measures that may affect their community and traveling habits.

SECTION 4. EXEMPTIONS FOR EMERGENCY VEHICLES. The driver of any emergency vehicle may, when it is expedient and safe to do so:

- a. on a sounding siren, bell or repeater horn, proceed, pass a traffic control signal displaying a red or amber (yellow) circle or a red or amber (yellow) arrow or proceed contrary to the direction or instruction of any traffic control devices;
- b. on a sounding siren, bell or repeater horn, 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 the vehicle at any place at any time; or
- d. exceed the speed limits prescribed in Section 30 of Article VII of this Code.

ARTICLE II DEFINITIONS

SECTION 5. DEFINITION OF TERMS. When used in this Code, the terms:

1. ABANDONED VEHICLE – any vehicle unattended for more than twenty-four (24) hours on a public highway.
2. AUTHORIZED MAINTENANCE VEHICLE – any vehicle of the City Government used in street lighting, traffic signal, highway construction and highway repair and maintenance works.
3. AUTHORIZED TOW VEHICLE – any vehicle specially constructed for towing vehicles, other than trucks and farm or road tractors, which is designated as an authorized tow vehicle by the City.
4. ACCELERATION LANE – a speed change lane used for increasing speed and merging with fast moving vehicles.
5. BICYCLE – any two-wheeled vehicle propelled solely by human power.
6. BICYCLE PATH OR LANE – a way established for the exclusive use of bicycle, including tricycles propelled by human power, but excluding pushcarts and animal-drawn vehicles.
7. BUILT-UP AREA – a type of street normally characterized by relatively low speeds, wide ranges of traffic volumes, narrower lanes, frequent intersections and driveways, significant pedestrian traffic, and prevalence of businesses and houses.
8. CENTER – in relation to a thoroughfare, means a line or series of lines, marks or other indications at the middle of the thoroughfare or, in the absence of any such line, lines, marks, or other indications, the middle of the main traveled portion of the thoroughfare.
9. CERTIFICATE OF PUBLIC CONVENIENCE (CPC) – an authorization issued by the Sangguniang Panlungsod ng Mandaluyong for the operation of tricycle for public use as required by law.
10. CHANNELIZED INTERSECTION – an intersection provided with islands meant to guide and limit vehicle movements.
11. CLEARWAY – a length of carriageway generally defined by signs, along which vehicles may not stop or be left standing at times of the day as provided on the signs.
12. COLORUM/ILLEGAL TRICYCLE UNIT. A motorized tricycle rendering transport service to the general public without a Certificate of Public Convenience (CPC)
13. DRAG RACING – a short race between two or more automobiles starting from a straightaway one-quarter (1/4) mile distance, the winner being that can accelerate the fastest.
14. DRAG STRIP – site for a drag race

15. DECELERATION LANE – a speed change lane used for decreasing speed, preparatory to stopping or exiting a fast lane.
16. DIVIDED ROAD – a highway or road with separated carriageways for traffic traveling in opposite directions.
17. DRIVER – is any person licensed to operate, drive and have control of the directional and motive power of a vehicle.
18. EMERGENCY VEHICLE means a motor vehicle:
 - a. conveying member of the police force on urgent police duty,
 - b. of a fire brigade traveling to or on duty at any place in consequence of a fire or an alarm of fire,
 - c. being an ambulance or any other vehicle, answering an urgent call or conveying to a hospital any injured or a sick person urgently requiring treatment,
 - d. being used to obtain or convey blood or other supplies, drugs or equipment for a person urgently requiring treatment which may or may not carry a siren, bell or repeater horn for use as a warning instrument, or
 - e. duly authorized as an emergency vehicle for purposes of this Code by the appropriate authority.
19. FOOTWAY – that portion of the road set aside for pedestrian use only.
20. HIGH BEAM – means a beam of light projected from vehicle headlights such that the main bright portion of the beam thereof rises above the horizontal plane passing through the lamp centers parallel to the road level upon which the vehicle stands.
21. HIGHWAYS – includes every highway open to public thoroughfares, every public boulevard, driveway, avenue, park, parkway, plaza, square, place, street, road, alley and ‘callejon’.
22. HORN – includes any or every device for signaling by sound.
23. ILLEGALLY PARKED MOTOR VEHICLES – are those vehicles which are parked attended or unattended, in areas, roads or streets where parking is prohibited.
24. INTERSECTION – the place at which two or more roads cross.
25. LANED THOROUGHFARE – means a thoroughfare divided into two or more marked lanes for vehicular traffic.
26. LOADING OR UNLOADING ZONES – are areas designated whereby motor vehicles stop to discharge passengers or to take in waiting passengers, or to load or unload a small quantity of freight with reasonable dispatch.
27. LOW BEAM – means a beam of light projected from vehicle headlights such that none of the main bright portion of the beams thereof rises above a horizontal plane passing through the lamp centers parallel to the road level upon which the vehicle stands.

28. MARKED CROSSWALK – means a portion of a thoroughfare between two parallel lines marked across the thoroughfare, intended for use of pedestrian.
29. MERGING – the converging of separate streams of traffic into a single stream.
30. MOTOR VEHICLE – means any conveyance designed to be self-propelled, and includes any vehicle designed to be propelled by electric power obtained from overhead wires but not operated upon rails.
31. MOTORIZED TRICYCLE – is a motor vehicle composed of a motorcycle fitted with a single-wheeled sidecar or two-wheeled cab.
 - a. MOTORIZED TRICYCLE-FOR-HIRE – a motorized tricycle rendering transport service to the general public.
 - b. UTILITY MOTORIZED TRICYCLE – a motorized tricycle rendering transport services to a specific passenger and/or goods.
32. MOTORIZED TRICYCLE OPERATOR’S PERMIT (MTO) – is a document granting a permit or license to operate issued by the City Mayor to a person, natural or juridical, allowing him/it to operate a tricycle within the territorial jurisdiction of the City of Mandaluyong.
33. NO PARKING AREA – means a portion of a thoroughfare between two consecutive “No Parking” signs and with arrows pointing generally towards each other or other appropriate signs.
34. ONE-WAY THOROUGHFARE – means a thoroughfare on which vehicles are permitted to travel in one direction only, as indicated by appropriate signs or signals.
35. OVERTAKE – to pass or attempt to overtake or pass a slower-moving vehicle traveling in the same direction.
36. OWNER – the legal owner of a motor vehicle in whose name such vehicle is duly registered with the Land Transportation Office.
37. PARKED – a vehicle is said to be parked if it is stationary for the period during which the vehicle is not limited to the time needed to pick up or set down persons or goods; a motor vehicle is brought to a stop on the shoulder or proper edge of a highway, and remains inactive in that place or close thereto for an appreciable period of time.
38. PARKING AREA – means a portion of the thoroughfare where parking is permitted as indicated by appropriate notices or parking signs.
39. PUBLIC UTILITY VEHICLE – includes any motor vehicle such as jitney, taxicab, bus and motorized tricycle offered for hire to the general public.
40. RECKLESS DRIVING – a person while driving a motor vehicle fails to take such ordinary care as under the circumstances it is his legal duty to do to avoid injury to person or property.
41. PEDESTRIAN – any person on foot or in a perambulator.

42. PUBLIC PLACE – any place where the public have access, upon payment or otherwise.
43. ROAD – sometimes called street or highway, means that part of the land surface designed or used for the passage of vehicles, whether motorized or not, inclusive of sidewalks and shoulders forming part of the right-of-way.
44. ROAD MARKING – any traffic control device laid out or painted on the surface of the road or carriageway used to regulate traffic or to warn or guide road users, used either alone or in conjunction with other signs or signals to emphasize or clarify their meaning.
45. ROUNDABOUT – an intersection where all traffic travels in one direction around a central or circular island.
46. SEPARATION LINE – a line marked on the pavement of a thoroughfare to separate traffic traveling in opposite direction.
47. STALLED VEHICLE – is a vehicle which for any cause or reason is unable to proceed under its motive power and is found in area, road or street where parking is prohibited.
48. STANDING – a vehicle is said to be standing if it is stationary for the time needed to pick up or set down persons or to load or unload goods.
49. STOP LINE – a line marked across the thoroughfare near a traffic control signal, stop sign, children's crossing or intersection.
50. THOROUGHFARE – means that portion of a road improved, designed or used for vehicular travel exclusive of the shoulder and footway.
51. TRAFFIC CONTROL SIGNAL – means any device using a word or words, a symbol or symbols, a colored light or lights or any combination thereof operated mechanically, electrically, manually or otherwise by means of which traffic may be controlled or regulated.
52. TRAFFIC ISLAND – a defined area within the roadway, usually at an intersection and set off above ground level, from which traffic is intended to be excluded and which is used for control of vehicular movements and as pedestrian refuge.
53. TRAFFIC AND PARKING MANAGEMENT OFFICE – refers to the city's/municipality's organization or office designated and authorized to perform traffic engineering, planning, education, and/or enforcement activities.
54. TRAILER – a vehicle not otherwise self-propelled, usually attached to the rear of a motor vehicle.
55. TWO-WAY THOROUGHFARE – means any thoroughfare where traffic is permitted in opposite directions.
56. U-TURN – means a movement which causes a vehicle facing or traveling in one direction to face or travel in the opposite, or substantially the opposite direction.
57. VEHICLE – means any conveyance or other device propelled or drawn by any means and includes a bicycle and, where the context permits, includes an animal driven or ridden, but does not include a train.

- 58. WAITING – means a vehicle permitted to remain stationary with the motor running.
- 59. YELLOW BOX – the portion of the intersection marked with yellow lines that should be kept clear of vehicles at all times.
- 60. ZONE – is a contiguous land area or block, which may be a subdivision or a barangay, where a tricycle-for-hire may operate with a fixed origin as their terminal but without a specified destination.

**ARTICLE III
ERECTION AND OPERATION OF
TRAFFIC CONTROL ITEMS**

SECTION 6. ERECTION AND INTERFERENCE WITH TRAFFIC CONTROL ITEMS.

- a. No person shall, except when duly authorized by the proper authority, erect, establish or display on any road or in the view of any person on any road, or interfere with, alter or take down, any traffic control sign or item.
- b. No person shall erect, establish, place, maintain, or display on any road or in the view of any person on any road anything which purports to be or is an imitation of or similar to any traffic control sign or item, or which interfere with the effectiveness of or prevents an approaching driver from clearly distinguishing the whole or part of any traffic control item, or distracts his attention from any traffic control signs or item.

SECTION 7. LIMITS ON OPERATION OF SIGNS. Any sign associated with a “No Parking Area”, “No Waiting Area”, or “Parking Area” or any sign of a kind referred to in Section 10 shall be limited in its operation and effect in respect of days, periods of the day, classes of vehicles or circumstances to the extent (if any) shown on the sign.

SECTION 8. TRAFFIC CONTROL SIGNS OR ITEMS TO BE OPERATIVE.

- a. Where any traffic-control sign or item of a kind referred to in this article exists on road, it shall be effective and operative as a traffic-control item duly established for the purpose under this Code.
- b. Any traffic-control or item which substantially conforms to the requirements of these sections with respect to dimensions, shape, color, position, direction, angle or any other features of traffic-control signs or items of any kind shall be deemed to be traffic-control sign or item of that kind.

SECTION 9. USE OF SIRENS, DAZZLING LIGHTS, SIMILAR GADGETS. No private person shall use or cause to be used sirens, bells, horns, whistles or similar gadgets that emit exceptionally loud or startling sounds, including dome lights and emergency red flashing lights installed in either front or rear, and emergency red light blinkers and other similar signaling or flashing devices that actually impede and confuse traffic and which are inconsistent with sound traffic discipline and control on the roads.

ARTICLE IV
OBEDIENCE TO TRAFFIC-CONTROL SIGNALS AND SIGNS

SECTION 10. OBEDIENCE TO TRAFFIC CONTROL SIGNALS.

1. Every person shall at all times observe and comply with the instructions of any traffic control signal applicable to him.
2. The display by a traffic control signal of:
 - A. A GREEN CIRCLE IS AN INSTRUCTION THAT:
 - i. a driver facing the traffic control signal may, subject to the provisions of this Article, proceed straight ahead turn left or turn right unless a signal at such place prohibits either such turn. Vehicles turning right or left shall give way to any opposing traffic and/or pedestrians.
 - ii. a green signal and walking man symbol is an instruction that a pedestrian facing the traffic control signal may proceed across the thoroughfare;
 - B. AN AMBER (YELLOW) CIRCLE ALONE IS AN INSTRUCTION THAT:
 - i. a driver facing the traffic control signal shall not proceed beyond the stop line, or in the absence of a stop line, the traffic control signal itself, unless his vehicle is so close to the stop line or traffic control signal when the color amber first appears that he cannot safely stop his vehicle before passing the stop line or traffic control signal;
 - ii. a pedestrian facing the traffic control signal shall not obstruct vehicles entering or approaching the intersection;
 - C. A RED CIRCLE ALONE IS AN INSTRUCTION THAT:
 - i. a driver facing the traffic control signal shall not proceed straight ahead or turn left beyond the stop line, or in the absence of a stop line, shall not proceed straight ahead or turn left beyond the traffic control signal itself;
 - ii. a pedestrian facing the traffic control signal shall not obstruct vehicles entering or approaching the intersection;
 - D. a red square and standing man signal is an instruction that a pedestrian facing the traffic control signal shall not enter upon the thoroughfare;
 - E. a green arrow is an instruction that a driver facing the traffic control signal may proceed in the direction indicated by the arrow;
 - F. an amber (yellow) arrow is an instruction that a driver facing the traffic control signal shall not for the purpose of proceeding in the direction indicated by the amber arrow, proceed beyond the stop line or, in the absence of a stop line, shall not enter the intersection at or near which the traffic control signal is erected unless his vehicle is so close to the stop line or the intersection when the amber arrow first appears that he cannot safely stop his vehicle before passing the stop line or entering the intersection;

- G. a red arrow is an instruction that a driver facing the traffic control signal shall not for the purpose of proceeding in the direction indicated by the red arrow proceed beyond the stop line or, in the absence of a stop line, shall not enter the intersection at or near, which the traffic-control signal is erected.

SECTION 11. OBEDIENCE TO SIGNS. Traffic signs installed shall be obeyed by motorists at all times. For purposes of this Article:

1. A driver shall not cause his vehicle to turn at any intersection contrary to the instruction to turn on any “No Turns”, “No Left Turn”, “No Right Turn” or “No U-Turn” signs erected to face an approaching driver at or near the intersection.
2. Where a “One Way” sign is erected to face a driver entering a thoroughfare to face an approaching driver, the driver shall not proceed on that thoroughfare beyond the sign.
3. Where a “No Entry” sign is erected over or adjacent to a thoroughfare to face an approaching driver, the driver shall not proceed on that thoroughfare beyond the sign.
4. Where a “No Overtaking or Passing” sign is to face an approaching driver, the driver shall not overtake or pass a vehicle traveling the same direction.
5.
 - i. Where a “No Overtaking on Bridge” sign is erected near a bridge to face an approaching driver, the driver shall not overtake a vehicle on the bridge;
 - ii. A driver shall not drive a vehicle and its load, including trailer attached to it, when it exceeds the weight indicated on the bridge load limit sign facing the driver.
6.
 - a. Where a “Keep Right ” sign is erected to face an approaching driver, the driver shall pass to the right of the sign;
 - b. Where a “Keep Left” sign is erected to face an approaching driver, the driver shall pass to the left of the sign.
7. Where a “Stop“ sign is erected to face a driver who is approaching or has entered an intersection, the driver shall;
 - a. Stop his vehicle before reaching and as near as practicable to the stop line associated with the sign or, in the absence of a stop line, at the point nearest the first intersecting thoroughfare where he has a clear view of traffic approaching the intersection; and
 - b. On reaching and after passing such sign, give way to any vehicle which is entering or within or leaving the intersection, except where that vehicle:
 - i. is facing, or has passed a “Stop” sign or a “Give Way” sign erected at the intersection, and
 - ii. is about to turn, or is turning at the intersection.
8.
 - a. Where a “Give Way” (or “Yield”) sign erected to face a driver who is approaching or has entered an intersection, the driver shall on reaching or

after passing such sign give way to any vehicle which is entering or within or leaving the intersection road, except where that vehicle:

- i. is facing, or has passed a “Stop” sign or “Give Way” sign erected at the intersection, and
 - ii. is about to turn, or is turning at the intersection;
- b. Where a “Give Way” sign is erected to face a driver approaching a bridge, the driver shall not pass the sign while any vehicle traveling in the opposite direction is between the sign and far end of the bridge.
9. Where a “No U–Turn” sign is erected adjacent to a thoroughfare to face an approaching driver, the driver, shall not make a U–Turn while he is between the sign and the far side of the first intersection beyond the sign, nor shall a driver who enters the thoroughfare between the sign and the intersection and travels towards the intersection make a U– Turn before he has passed the intersection.

ARTICLE V GENERAL DRIVING RULES

SECTION 12.KEEPING AS FAR RIGHT AS PRACTICABLE. Unless otherwise provided for in this Code, a driver shall keep his vehicle so close as practicable to the right boundary of the thoroughfare except where there are two or more lanes marked on the thoroughfare available exclusively for traffic in the direction in which he is traveling.

SECTION 13.OVERTAKING.

- a. When overtaking a moving vehicle, a driver shall pass to the left of that vehicle and shall not drive in front of it until his vehicle is safely clear; provided that, where a thoroughfare has two or more marked lanes, vehicles traveling in one of those lanes may overtake and pass to the right of a vehicle traveling in another of those lanes, if traffic conditions permit him to do so with safety.
- b. A driver overtaking a vehicle making or apparently about to make a left turn shall pass to the right of it.
- c. When overtaking a vehicle on a two-way thoroughfare.
- d. If the thoroughfare is not divided into three lanes, a driver shall not drive to the left of the center of the thoroughfare, unless the left side of the thoroughfare is free of oncoming traffic far enough ahead to permit the overtaking movement to be completed in safety.
- e. If the thoroughfare is divided into three lanes, a driver shall not drive in the center lane unless that lane is free of oncoming traffic far enough ahead to permit the overtaking movement to be completed in safety.

SECTION 14.USE OF CENTER AND LEFT LANES OF THREE–LANE THOROUGHFARE. On a two–way thoroughfare divided into three lanes, a driver shall not drive his vehicle in the center lane, except:

- a. to overtake another vehicle in accordance with the rules on overtaking;
- b. in preparation for a left turn; or
- c. where the center lane is at the time allocated exclusively to vehicles traveling in the same direction to which he is traveling;

d. the extreme left hand lane, except in preparation for a left turn.

SECTION 15.PASSING VEHICLES. A driver passing a vehicle traveling in the opposite direction shall keep to his right relative to that vehicle.

SECTION 16.GIVING WAY TO OVERTAKING VEHICLES. Except where overtaking on the right is permitted, the driver of a vehicle being overtaken shall not increase the speed of his vehicle until it has been completely passed by the overtaking vehicle, and shall yield in favor of the overtaking vehicle upon the driver of the overtaking vehicle sounding and/or signaling a warning instrument.

SECTION 17.DRIVERS NOT TO OBSTRUCT TRAFFIC. A person shall not, without proper cause, drive a vehicle abnormally slow or in such other manner as to obstruct, hinder, or prevent the free passage of any person or vehicle. In a thoroughfare with 2 or more lanes in the same direction, lane hugging or occupancy of more than one lane for a length of time not called by traffic conditions shall be considered as an obstruction.

SECTION 18.DRIVING IN LANES ON THOROUGHFARE.

- a. A driver shall drive his vehicle as nearly as practicable entirely within single marked lane or a single line of traffic and shall not move literally from such lane or line of traffic until he can do so safely.
- b. A driver traveling along a marked lane any boundary of which is a single unbroken line shall not permit any part of his vehicle to cross that line, except when safety demands otherwise.

SECTION 19.DRIVING THROUGH ROUNDABOUTS OR ROTONDAS. A driver passing through a traffic roundabout shall drive to the right of the central traffic island.

SECTION 20.KEEPING RIGHT OF DOUBLE YELLOW LINES. Where a thoroughfare is marked with a double yellow longitudinal line comprising of yellow continuous lines; or a yellow continuous line on the right of a white broken line; a driver shall not permit any portion of his vehicle to travel on or over or to the left of the double yellow longitudinal line.

SECTION 21.DRIVING IN BICYCLE LANES. Motor vehicles are prohibited from being driven or parked on any lane of a public street or path reserved exclusively for bicycles and provided with a sign bearing a symbol of bicycle.

SECTION 22.DRIVING IN RESERVED LANES. In order to encourage efficiency in the use of road space, specific lanes of a major thoroughfare may be reserved for certain types of vehicles such as public utility buses, jeepneys and other high-occupancy vehicles. Vehicles not otherwise mentioned in the signs posted therein are prohibited, at times and days indicated, from being driven in those reserved lanes.

SECTION 23.DRIVING OVER A YELLOW BOX. A portion of an intersection marked with a yellow box must always remain unobstructed and open for passage. A driver must not enter a yellow box if his exit road or lane from it is not clear, or if he cannot cross and go beyond the boundaries of the box in time before the traffic signal turns to red.

ARTICLE VI GIVING WAY

SECTION 24.GIVING WAY AT INTERSECTIONS.

- a. A driver approaching or passing through an intersection shall exercise special care and where appropriate shall drive at a reduced speed.
- b. Except as provided in paragraph (c) (i) and (ii) of this Section, the driver of a vehicle which is approaching an intersection from one thoroughfare shall give

way to any vehicle which has entered the intersection except that where the two vehicles have entered at the same time, the driver which has the other vehicle on his right shall give way.

- c.
 - i. Where traffic-control signals are erected at or near an intersection, paragraph (b) above shall not apply to a driver proceeding in accordance with the instruction of any such signal.
 - ii. Paragraph (b) above shall not apply to the driver of a vehicle having another vehicle on his right at an intersecting thoroughfare where that other vehicle is facing or passed a "Give Way" or "Stop" sign.

SECTION 25. GIVING WAY DURING TURNS.

- a. Subject to the provisions of Section 11, a driver who intends to turn, is turning or has turned to the left at an intersection, shall give way to any vehicle which has entered or is approaching the intersection from the opposite direction.
- b. A driver turning to the right or left at an intersection shall give way to all pedestrians.
- c. A driver making a U-Turn shall give way to all other vehicles and to all pedestrians.

SECTION 26. GIVING WAY TO OR FROM PARKED VEHICLES.

- a. A driver who is about to drive or is driving a vehicle into or out from a parking area or the boundary of a thoroughfare shall give way to all other vehicles.
- b. A driver shall not move in reverse out of a parking area and cross the center of a thoroughfare, unless traffic conditions permit him to do so.

SECTION 27. GIVING WAY TO EMERGENCY VEHICLES. A driver shall give way and make reasonable effort to give clear and uninterrupted passage to every emergency vehicle sounding a siren, bell or repeater horn, or using other signals to indicate an emergency.

SECTION 28. ENTERING OR LEAVING A ROAD.

- a. A driver entering an abutting road shall:
 - i. except when proceeding pursuant to an instruction of a traffic-control signal, a traffic policeman, a traffic aide or duly authorized traffic enforcers, give way to all vehicles traveling in either direction along the road;
 - ii. give way to all pedestrians on the road
- b. A driver leaving a road to enter land abutting, shall give way to all vehicles traveling in the opposite direction and to all pedestrians on the road.

SECTION 29. ROUNDABOUTS OR ROTONDAS.

- a. In a roundabout or rotonda, the first vehicle to enter takes precedence over a vehicle approaching or about to enter. Hence, the driver of a vehicle entering a roundabout shall give way to any vehicle on his immediate left unless otherwise indicated.
- b. Within the rotonda, the driver must give way to vehicles intending to leave the nearest exit point.

ARTICLE VII
SPEED RESTRICTION

SECTION 30. SPEED LIMITS.

- a. No person shall drive a vehicle at a speed exceeding the design limits for the street as indicated by numerals on signs set up along the road.
- b. The foregoing provisions of this section shall not apply to the driver of an emergency vehicle.
- c. Nothing in this section shall be construed to justify the driver of a vehicle driving at a speed which:
 - i. may constitute driving carelessly, recklessly or at a speed or in a manner which is dangerous to the public having regard to all the circumstances; or
 - ii. exceed any maximum speed applicable to the vehicle and fixed by any law, ordinance or regulation.

SECTION 31. DRAG RACING/SPEED CONTEST. It shall be unlawful for any person to engage in or to aid any motor vehicle, drag racing speed contest or exhibition of speed at all times on any drag strips, roads, and avenues within the territorial jurisdiction of the City of Mandaluyong, whether publicly or privately owned and/or not yet donated to the City of Mandaluyong.

SECTION 32. PROHIBITION AND BANNING OF DRAG RACING. Drag Racing and other forms of racing by/among motor vehicles of whatever nature or kind are totally and strictly prohibited and/or banned to be staged, done or held at all times on any drag strip, roads and avenues within the territorial jurisdiction of the City of Mandaluyong whether said drag strip, roads, streets and all avenues are publicly and/or privately owned and not yet donated or otherwise to the City of Mandaluyong.

SECTION 33. PERSONS LIABLE UNDER THE ORDINANCE. The organizer/s, participants, flag down men, person/s manning the finish line, look-outs and any other person rendering assistance in the conduct of the drag racing as contemplated in this Ordinance including supporters and spectators.

SECTION 34. PENALTIES. Imprisonment of one (1) year, or a fine of Five Thousand Pesos (P5,000.00), or both, at the discretion of the court shall be imposed upon those found guilty of violating this Ordinance.

SECTION 35. ENFORCEMENT OF ORDINANCE. The Philippine National Police (PNP) of the City of Mandaluyong Police Station is hereby ordered to strictly implement and enforce the provisions of this Ordinance.

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

ARTICLE VIII
ONE WAY STREETS

SECTION 36. DESIGNATION OF ONE WAY STREETS.

- a. Vehicular traffic on any street or highway or portion thereof maybe designated by the head of the Traffic and Parking Management Office as one-way street on an experimental basis, and shall be referred immediately to the Sangguniang Panlungsod for approval. If no action is taken by the Sanggunian

within three (3) months of referral, the same shall be deemed approved and included in the List of One Way Streets shown as Appendix XII.

- b. The head of Traffic and Parking Management Office is hereby authorized to expand, reduce, amend, or modify Appendix XII, with the concurrence of the City Mayor and provided that any change shall be referred to the Sangguniang Panlungsod immediately. If no action is taken thereon within three months of referral, the same shall be deemed approved as part of this Ordinance.

SECTION 37. OPERATING RULE. The driver shall drive along a one-way thoroughfare only in the direction indicated by the arrow on the sign.

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ARTICLE IX TURNING, REVERSING AND STOPPING

SECTION 38. RIGHT TURNS. A driver who is about to make a right turn at an intersection shall so drive his vehicle that when it reaches the intersection it shall be to the right of any vehicle abreast of his vehicle and traveling in the same direction, or at the rightmost lane of a thoroughfare, provided that this Section shall not apply to a driver whose vehicle is in a marked lane allocated exclusively to right-turning vehicles.

SECTION 39. LEFT TURNS. The streets listed under Appendix I are hereby designated as No Left Turns. The Traffic and Parking Management Office is hereby authorized to expand, reduce, amend or modify from time to time the list as he sees fit, subject to approval of the Mayor, provided, he furnish a copy to the Sangguniang Panlungsod within one (1) month of any change or revision. The revised list shall be deemed final if not acted by the Sanggunian within three (3) months from receipt thereof.

- a. A driver who is about to make a left turn at an intersection shall:
 - i. Where he is traveling on a two-way thoroughfare approach and enter the intersection so that his vehicle is to the right of, parallel to and as near as practicable to the center of the thoroughfare; or
 - ii. Where he is traveling on a one-way thoroughfare approach and enters the intersection so that his vehicle is parallel to and as near as practicable to the left boundary or leftmost lane, of the thoroughfare.

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

- b. Notwithstanding the foregoing provisions of this Section, a bicyclist who is about to make or is making a left turn at an intersection may make the left turn so that:
 - i. He approaches such intersection parallel to and as near as practicable to the right boundary of the thoroughfare;
 - ii. Enters the intersection and proceeds in a straight line until his bicycle is as near as practicable to the prolongation of the right boundary of the thoroughfare he is about to enter; and
 - iii. Turns his bicycle to the left and after giving way to vehicles on his left and right leaves the intersection in accordance with the provisions of this Section, but when any traffic control signal is operating at the intersection, a bicyclist shall wait before turning and shall not proceed to leave the intersection until the traffic control signal is displaying a green light indicating the appropriate direction of his intended movement.

SECTION 40. TURN AND STOP SIGNALS.

- a. A driver shall not turn right or left or diverge right or left or stop or suddenly decrease speed or make a U–turn without giving a signal as prescribed in this Section.
- b. A driver who is about to turn right or left, diverge right or left, stop, suddenly decrease speed or make U-turn shall signal his intent of doing so for such time as is necessary to give reasonable warning to drivers approaching from behind.
- c. For purposes of and without limiting the generality of paragraph (b) above, a signal shall be deemed to give reasonable warning if given continuously;
 - i. while a vehicle is traveling 30 meters immediately before it commences to turn and during any period when it is stationary before it comes to turn;
 - ii. while a vehicle is traveling 30 meters immediately before it commences to diverge right or left; or
 - iii. while the brakes of the vehicle are applied before it stops or while it is slowing down;
- d. Any signal required by this Section shall be given:
 - i. in the case of a signal of intention to stop or reduce speed suddenly, by means of stop lamp or red lamps; or
 - ii. in the case of a signal of intention to turn right or left, diverge right or left to make U–turn, by means of a flashing orange lamp signaling device.

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Such signaling device or stop lamp shall comply with the specifications for that device or stop lamp prescribed by the Land Transportation Office (LTO).

SECTION 41. USE OF SIGNALING DEVICES. A driver shall not permit a signaling device on his vehicle to remain in operation after the completion of the turn or divergence in respect of which the device was put into operation.

SECTION 42. U–TURNS. The streets listed under Appendix II are hereby designated as No U–Turns. The Traffic and Parking Management Office is hereby authorized to expand, reduce, amend or modify from time to time the list as he sees fit, subject to approval of the Mayor, provided, he furnish a copy to the Sangguniang Panlungsod within one (1) month of any change or revision. The revised list shall be deemed final if not acted by the Sanggunian within three (3) months from receipt thereof.

A driver shall not cause his vehicle to make a U–turn

- a. where there is a probability of colliding with another vehicle or interfering with the free movement of traffic; or
- b. on any intersection at which a traffic control sign or signal prohibits a U–turn.

SECTION 43. PROCEDURE AT CHANNELIZED INTERSECTION. When accelerating or decelerating lanes are provided for right or left turns at unsignalized intersection, vehicles shall proceed as follows:

- a. Vehicles intending to turn right into a roadway entrance by means of a right turn accelerating lane shall enter such roadway by means of the accelerating

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

- b. Vehicles intending to turn right from a roadway exit, from which is made by means of a right-turn decelerating lane, shall enter the decelerating lane and merge with caution into the right hand traffic lane, unless otherwise instructed.
- c. Vehicles intending to turn left into the far roadway of a divided highway shall come to a complete stop before crossing the near roadway of such highway and shall merge with caution into the left hand lane of the far roadway, unless otherwise instructed.
- d. Vehicles intending to turn left from a divided highway exit, by means of a left turn decelerating lane constructed in the medial strip area, shall enter decelerating lane and shall yield the right of way to approaching vehicles before proceeding with caution across the intersection and into the intersecting roadway, unless otherwise instructed.

ARTICLE X STOPPING AND PARKING OF VEHICLES

SECTION 44. VEHICLES NOT TO BE IN CERTAIN AREAS.

No driver shall:

- a. leave a vehicle waiting in a “No Waiting Area”;
- b. park a vehicle in a “No Parking Area”, 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.

SECTION 45. PROHIBITED PARKING OR WAITING PLACES. The streets listed under Appendix III are hereby designated as No Parking or No Waiting. The Traffic and Parking Management Office is hereby authorized to expand, reduce, amend or modify from time to time the list as he sees fit, subject to approval of the mayor, provided, he furnish a copy to the Sangguniang Panlungsod within one (1) month of any change or revision. The revised list shall be deemed final if not acted by the Sanggunian within three (3) months from receipt thereof.

No person shall park or leave a vehicle waiting so that any portion of the vehicle is:

- a. between any other waiting vehicle and the center of the thoroughfare ;
- b. between the pedestrian zone and the nearest curb;
- c. in front of a right-of-way, passage or private driveway;
- d. in front of a footway constructed across a reservation;
- e. alongside or opposite any excavation if the vehicles would obstruct traffic;
- f. on any footway, marked crosswalk or pedestrian crossing;
- g. upon a bridge or other elevated structure or within a tunnel or underpass;
- h. upon an intersection;
- i. on any portion of a thoroughfare on which the words "Keep Clear";
- j. within 1 meter of any fire hydrant or fire plug or any sign or mark indicating the existence of a fire hydrant or fire plug;
- k. within 3 meters of a letter pillar or letter box unless the vehicle is being used for the purpose of collecting postal articles from the pillar or box;
- l. on a reservation, on a parking space of a business establishment of private ownership, the owner placing their signs/signages indicating that the parking space is for the exclusive use of its officers, employees, customers or clients at the entrance preventing other vehicles from parking therein;
- m. on a bicycle lane;
- n. upon a Bus and PUJ Lane except that a public utility vehicle may remain waiting while persons are actually entering or alighting from vehicle;
- o. Within six (6) meters of any intersection or curve or any curbed lane;
- p. On any place where official signs have been erected prohibiting parking and/or declared no parking zones by the City Government and the Metro Manila Development Authority (MMDA).

SECTION 46. METHOD OF PARKING VEHICLES. Any driver who parks or leaves a vehicle waiting on a thoroughfare shall park or leave the vehicle waiting:

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

SECTION 47. PARKING NEAR GRADE 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.

No person shall park or leave a car within six (6) meters of the curve of any intersection or curbed lane.

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SECTION 48. PARKING ON PARADE ROUTES AND ON ANY SPECIAL OCCASION. The Traffic and Parking Management Office 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.

SECTION 49. PARKING FOR CERTAIN PURPOSES PROHIBITED. No person shall park a vehicle upon any roadway for the principal purpose of:

- a. displaying such vehicle for sale;
- b. washing, greasing or repairing such vehicle except repairs necessitated by an emergency.

SECTION 50. PARKING IN FRONT OF RESIDENTIAL OR COMMERCIAL ESTABLISHMENT. No person shall appropriate for his exclusive use a parking space allotted in front of a residential or commercial establishment unless it is privately owned otherwise he/she shall pay the prescribed parking fee in this Ordinance.

Installation of signage or markings indicating reservation of its use is prohibited.

SECTION 51. 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.

Delivery trucks and other vehicles may load and unload cargoes in front of the Mandaluyong Public Market for not more than thirty (30) minutes provided, however, that such loading or unloading is done from 1:00AM to 6:00 AM and 12:00 Noon to 2:00 PM.

SECTION 52. OFFICERS AUTHORIZED TO REMOVE ILLEGALLY STOPPED VEHICLES.

- a. Whenever any traffic enforcer finds a vehicle standing upon a road in violation of any of the foregoing provisions, such enforcer 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 traveled part of such road.

- b. Whenever any traffic enforcer finds a vehicle unattended upon any bridge or causeway where such vehicle constitute an obstruction to traffic, such officer is hereby authorized to provide for the removal of such vehicle to the nearest garage or other place of safety.
- c. The driver or owner of said vehicle shall bear the expenses incurred including but not limited to towing fees.

SECTION 53. AUTHORITY TO DISPOSE OF UNCLAIMED VEHICLES.

- a. The Head of Traffic and Parking Management Office is hereby authorized to recommend to the City Mayor the disposal of a vehicle that has been taken into custody. Such disposition shall be at public auction under such procedure, as the City Mayor shall establish with the approval of the Sangguniang Panlungsod. Written notice of such auction shall be sent to the last known registered owner by certified mail at least ten (10) days prior to the date of auction, and said auction shall be held not earlier than 60 days after the date upon such 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, as determined by said officer or his authorized subordinates.
- b. The funds derived from any such auction shall be used to defray the expenses of auction and any other expenses incurred in taking into custody and the balance if any, shall be come part of the Traffic Development Trust Fund.

ARTICLE XI
PARKING ZONES AND FACILITIES

SECTION 54.DESIGNATION OF PARKING ZONES.

- a. The City's Traffic and Parking Management Office is hereby authorized and directed to establish, mark and designate portions of a thoroughfare as pay parking zones.
- b. The streets listed under Appendix VI are hereby designated as pay parking zones. The Traffic and Parking Management Office is hereby authorized to expand, reduce, amend or modify from time to time the list as he sees fit, subject to approval of the Mayor; provided, he furnish a copy to the Sangguniang Panlungsod within one month of any change or revision. The revised list shall be deemed final if not acted by the Sanggunian within three (3) months from receipt thereof.

SECTION 55.OFF-STREET PARKING FACILITIES AND TRANSPORT TERMINALS.

- a. Off-street parking facilities and public transport terminals may be constructed, operated and maintained by the City or by private entities, subject to an authorization by the Sangguniang Panlungsod upon the recommendation of the Traffic and Parking Management Office and approval of the Mayor.
- b. If so required by the traffic impact analysis, the Traffic and Parking Management Office may also require major commercial developments to incorporate off-street parking facilities into their building plans, before a Building Permit is issued therefore.

SECTION 56. PAY PARKING CHARGES AND SIGNS. Appropriate signs, indicating the parking charges, the time that such facility is open for business, shall be installed at each public parking facility.

For parking on the streets listed in Appendix V and such other streets or roads that may be subsequently be declared as pay-parking areas the following fees shall be assessed:

- a. P10.00 - 1st two (2) hours; and
- b. P 5.00 - for every hour or portion thereof in excess of two (2) hours.

SECTION 57. OVERNIGHT PARKING. Overnight parking on local roads not designated as pay parking zones may be determined by the Traffic and Parking Management Office in consultation with the Barangay Council subject to the approval of the City Mayor. Those local roads that may be designated, shall as much as practicable, be on a one-side parking basis and in no case shall prevent egress or passage. No alley or road less than 3 meters in width shall be designated as overnight-parking zones.

SECTION 58. ENFORCEMENT OF OVERNIGHT PARKING. The enforcement of overnight parking shall be undertaken by the Traffic and Parking Management Office of the City upon compliance with the following:

- a. The Traffic and Parking Management Office shall consult the Barangay Council concerned in determining which of the local roads may be utilized for overnight parking, before enacting an Ordinance to that effect.
- b. Overnight parking shall be limited to the hours of 9:00 p.m. to 6:00 a.m. the following day.
 - i. No cargo trucks or tractor trailers of eight wheels and up shall be allowed to avail of overnight parking in any streets of the City except by reason of emergency repair or which should be accomplished as expeditiously as possible. Cargo trucks found parking during these hours in any City Street shall be towed to the vehicle impounding area, and the driver required to pay the corresponding fines.
 - ii. The cost of the tickets or receipts issued by the barangay for collection of overnight parking fees shall be chargeable to the City Government.
 - iii. Overnight parking fees shall be determined by the Traffic and Parking Management Office subject to the approval of the City Mayor. A copy shall be furnished to the Sangguniang Panlungsod and the same shall be deemed final if no action is made by the Sangguniang Panlungsod within sixty (60) days from receipt thereof.
 - iv. It shall be the duty of the Barangay Treasurer duly designated by the City Treasurer to remit collections pertaining to the share of the City to the Office of the City Treasurer.

SECTION 59. VIOLATIONS IN PARKING AREAS. Within any pay parking facility, it shall be unlawful for any person:

- a. to refuse or fail to pay the parking charges;
- b. to park any vehicle across any line or marking of a parking space or in such position that the vehicle shall not entirely be within the area designated by such lines or markings;

- c. to tamper or damage any vehicle, other than his own, parked in the same parking facility;
- d. to park any vehicle for the purpose of washing, cleaning, greasing or repairing such vehicle except repairs necessitated by an emergency or a designated area in the parking facility;
- e. to display for sale or to sell goods or merchandise;
- f. to disregard any official direction, instruction or restriction posted therein.

ARTICLE XII
CARELESS AND DANGEROUS DRIVING UNDER
THE INFLUENCE OF LIQUOR OR DRUGS

SECTION 60.SCOPE. The provisions of this Article shall apply to drivers, vehicles and pedestrians on any road or any place.

SECTION 61.RECKLESS DRIVING. No person shall operate a motor vehicle on any road recklessly or without reasonable caution considering the width, traffic, grades, crossing, curvatures, visibility and other conditions of the road and the conditions of the atmosphere and weather to endanger the property or the safety or rights of any person or to cause excessive or unreasonable damage to the road.

SECTION 62.DRIVING A MOTOR VEHICLE WHILE UNDER THE INFLUENCE OF LIQUOR OR INCAPACITATING DRUG. No person shall drive a motor vehicle while under the influence of liquor or incapacitating drug. For the purposes of this Section, a driver is considered under the influence of liquor, if, at the time of competent examination performed within an hour of apprehension of a person, he is found to have in his blood at least 0.06% of alcohol or, in the case of drugs, if it is reasonably manifest from his actions or behavior that his exercise of his five senses is physically impaired as to expose himself or the vehicle or other persons to a danger of accident. The operation of any transport unit, although not motorized, in the manner stated herein above, is likewise prohibited.

ARTICLE XIII
ACCIDENTS

SECTION 63.ACCIDENTS INVOLVING DEATH OR PERSONAL INJURIES OR DAMAGE TO A VEHICLE. The driver of any vehicle involved in an accident resulting in injury or death of any person or damage to a vehicle which is driven or attended by any person, shall immediately stop such vehicle at the scene of the accident and shall remain at the scene of such accident until he has fulfilled the requirements of Section 64 of this Ordinance. Every step must be taken to ensure that such stop is made without obstructing traffic.

SECTION 64.DUTY TO GIVE INFORMATION AND RENDER AID. The driver of any vehicle involved in an accident resulting in injury to or death of any person or damage to any vehicle or other property damage, shall give his name, and the vehicle license plate number he is driving and upon request, exhibit his driver's license to the person struck, or to the driver or occupant of, or person attending the vehicle collided with, and shall render reasonable assistance to any person injured in such accident.

SECTION 65.DUTY UPON STRIKING UNATTENDED VEHICLE. The driver of any vehicle that collides with any vehicle which is unattended shall immediately stop and shall then locate the driver and notify the operator or owner of such vehicle, or shall leave in a conspicuous place in the vehicle struck a written notice giving the name and address of the driver or the owner of the vehicle doing the striking, together with the license plate number of said vehicle and a statement of the circumstances thereof.

SECTION 66.DUTY UPON STRIKING FIXTURES ON A ROAD. The driver of any vehicle involved in an accident resulting only in damage to fixtures adjacent to a road shall take reasonable steps to locate and notify the person in-charge of such property and shall give his name and address, and the vehicle license plate

number he is driving, and upon request exhibit his driver's license and shall make a report of such accident as required by this Ordinance.

SECTION 67. REPORT OF ACCIDENTS.

- a. The driver of any vehicle involved in an accident resulting in injury or death of any person shall, immediately by the quickest means of communication, give notice of such to the police department or local traffic authority.
- b. The driver of any vehicle involved in property damage, shall make an agreement to the persons whose property is involved as to amount of property damage sustained, provided, however, that if no agreement can be reached between the two parties, the accident shall be reported immediately to the police department.
- c. Every law enforcement officer who, in the regular course of duty, investigate a motor vehicle accident of which report must be made as provided herein, either at the time of and at the scene of the accident or thereafter by interviewing participants or witness, shall, within 24 hours after completing such investigation, forward a written report of such accident to the appropriate division of the City's Traffic and Parking Management Office.

SECTION 68. ACCIDENT REPORT FORMS.

- a. The Traffic Enforcement Division shall prepare and upon request supply to garages and agencies concerned, forms for accident reports required hereunder, with respect to the persons required to make such reports and the purpose to be served. The written reports to be made by persons involved in accidents and by the investigating officers shall call for sufficient detailed information to disclose with reference to such accidents the causes, existing conditions and the person and vehicle involved.
- b. Every accident report required to be made in writing shall be made on the appropriate form prescribed by the traffic police department and agreed with national agencies. The report shall contain all the information required in the form, unless not available.

SECTION 69. GARAGE TO REPORT. The person in charge of any garage or repair shop of which a motor vehicle brought showed evidence of having been involved in an accident or struck by any bullet, shall report to the police department within 24 hours after such motor vehicle is received, giving the engine number, plate number, the name and address of the owner or driver of such vehicle, and a description of the suspicious or unusual circumstances.

SECTION 70. ACCIDENT REPORTS CONFIDENTIAL. All accident reports in writing made by person involved in accidents or by garages shall be for the confidential use of the Police Department or other City agencies having use for the records for accident prevention purposes, except that the police department may disclose the identity of a person involved in an accident when such identity is not otherwise known or when such person denies his presence at such accident. No such report shall be used as evidence in any trial, civil or criminal arising out of an accident except that the police department shall or upon demand of any Court, issue a certificate showing that a specified accident report has or has been made to the police department solely to prove a compliance or a failure to comply with the requirement that such a report be made to the police department.

SECTION 71. WHEN DRIVER UNABLE TO REPORT.

- a. An accident report is not required under this Article from any person who is physically incapable of making report during the period of such incapacity.
- b. Whenever the driver of a vehicle is physically incapable of giving an immediate notice of an accident as required in Section 67 and there was another occupant in the vehicle at the time of the accident capable of doing so, such occupant in the vehicle shall make a report not made by the driver or if the driver is not the owner of the vehicle, then the owner of the vehicle

involved in such accident shall within 5 days after learning of the accident make such report not made by the driver.

SECTION 72. RESPONSIBILITY TO TABULATE AND ANALYZE ACCIDENT REPORTS. Without infringing on the authority of the Police, the Traffic and Parking Management Office or its appropriate unit shall tabulate and analyze all accident reports and shall publish annually the statistical information based to the number and circumstances of traffic accidents.

SECTION 73. COPIES OF REPORTS TO BE FURNISHED THE OFFICE OF THE CITY. The head of the Traffic and Parking Management Office shall furnish true copies of all accident reports within 48 hours from the filing thereof, to the Police and the office of the City Mayor.

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

SECTION 74. EFFECT OF REGULATIONS. The regulations applicable to animal-drawn carriages, pedicabs, bicycles or tricycles shall apply whenever an animal-drawn carriage, pedicab, bicycle(s) or tricycle(s) is operated upon any road or upon any path set aside for the exclusive use of such carriages, pedicabs, bicycles or tricycles.

SECTION 75. PURPOSE AND SCOPE To establish a uniform, orderly and effective system of franchising, regulating and monitoring all animal-drawn carriages, pedicabs, bicycles and tricycles being operated for hire within the territorial boundaries of Mandaluyong, Metro Manila.

All animal-drawn carriages, pedicabs, bicycles and pedicabs owned by residents of the City of Mandaluyong shall be registered with the Traffic and Parking Management Office for issuance of license plates and upon payment of One Hundred Pesos (P100.00) to the City Treasurer's Office.

No person, whether resident or not of the City shall operate, ride or propel an animal-drawn carriage, pedicab, bicycle or tricycle on any street, highway, alley, roadway, sidewalk or upon any public path set aside for the exclusive use of carriages, pedicabs, bicycles or tricycles unless such has been licensed and a license plate 5.0 cm x 7.5 cm (2" x 3") in size is attached thereto as provided herein.

SECTION 76. TRAFFIC LAWS APPLICABLE TO PERSONS RIDING AN ANIMAL-DRAWN VEHICLE, PEDICAB, BICYCLE OR TRICYCLE. The provisions of this Ordinance granting right to and imposing duties upon a driver of a vehicle shall apply to every person operating on animal-drawn carriage, pedicab, bicycle or tricycle upon a road or in a public place, except those provisions that by their very nature are not applicable.

BICYCLES

SECTION 77. RIDING BICYCLES

- a. No person shall ride a bicycle which does not have a permanent and regular seat attached to it.
- b. No bicycle shall be used to carry at one time more persons than the number for which it is designed and equipped.
- c. No person shall ride a bicycle without having at least one hand on the handlebars.
- d. Whenever a bicycle lane is provided, the rider of a bicycle shall use that bicycle lane.
- e. No person shall ride a bicycle within two meters of the rear of a motor vehicle.
- f. No person shall ride a bicycle on any national road.

SECTION 78. TOWING OF BICYCLES.

- a. A person riding a bicycle shall not attach himself to nor permit himself to be drawn by any vehicle.
- b. The driver of a vehicle shall not permit a person riding a bicycle to attach himself to or be drawn by the vehicle.

SECTION 79. RIDING MORE THAN TWO ABREAST.

- a. Except on a bicycle lane where such is permitted by signs or other means, no person shall ride a bicycle so that it is traveling abreast of more than one bicycle.
- b. Paragraph (a) of this section shall not operate to prevent a cyclist from overtaking and passing other persons riding bicycle abreast.
- c. A bicycle shall be deemed to be abreast of another bicycle if any part of it is by the side of any part of the other.

PEDICABS

SECTION 80. COMPULSORY REGISTRATION OF PEDICABS FOR HIRE. All pedicabs for hire being used or operated on or upon any public road, street, park, alley, and “callejon” including roadways upon grounds owned by private persons, schools, colleges, universities or other similar institutions located within the territorial boundaries of the City of Mandaluyong must be registered with the Office of the Mayor.

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REQUIREMENTS.

- a. All applications for registration shall be in writing and accompanied by appropriate proofs of ownership over the pedicab sought to be registered.
- b. No pedicab for hire shall be registered under the provisions of this Ordinance unless the unit sought to be registered after inspection is found to be duly equipped with appropriate warning signs or other devices that are clearly visible to the naked eye during nighttime.
- c. No permit shall be issued to an applicant to operate/drive a pedicab for hire unless the applicant is 15 years of age or older and physically fit to operate/drive a pedicab.
- d. Any person operating/driving a pedicab for hire shall also secure a permit from the Office of the Mayor.
- e. An applicant for a permit to operate/drive a pedicab for hire shall pay a fee of TEN PESOS (P10.00).

SECTION 81. REGISTRATION FEES. Applicants under this Ordinance shall pay registration fees in the amount of FIFTY PESOS(P50.00).

For late registration. If the applicant fails to register and pay within the time allowed by this Ordinance, a surcharge of fifty percent (50%) shall be added to the amount due and payable.

SECTION 82. ISSUANCE OF PERMIT. After due inspection of the unit sought to be registered and payment of the registration fees, the applicant shall be issued a permit by the Office of the Mayor which permit shall serve as the unit’s proof of registration for the current year.

The permit to operate/drive a pedicab shall be valid only up to December 31, of the year it was issued and must be renewed every year thereafter not later than January 31, of the following year.

SECTION 83. VALIDITY OF PERMIT. The permit to be issued under this Ordinance shall be valid only up to December 31 of the year it was issued and must be renewed every year thereafter not later than January 31 of the following.

SECTION 84. PENALTY.

- a. Any person found using, allowing, converting to or tolerating the use of any pedicabs for hire without any permit as required under this Ordinance shall be punished by a fine of not less than Two Hundred Pesos (P200.00) nor more than Five Hundred Pesos (P500,00) or imprisonment of not less than one (1) month nor more than three (3) months or both at the discretion of the court.
- b. Any person found operating/driving a pedicab for hire without a permit as required under this Ordinance or any person found operating/driving a pedicab for hire outside of streets, roads or areas designated by the Office of the Station Commander, Mandaluyong Police Station or found violating any of the applicable provisions of the Mandaluyong Traffic Code (of 1988)shall be punished, as follows:

| | |
|----------------|-------------|
| FIRST OFFENSE | P50.00 Fine |
| SECOND OFFENSE | 100.00 Fine |
| THIRD OFFENSE | 150.00 Fine |

- c. After the third apprehension, in addition to the cancellation of the permit issued to operate/drive a pedicab, any person found violating Section 84b of this Ordinance shall be punished by a fine of not

less than Two Hundred Pesos (P200.00) nor more than Five Hundred Pesos (P500.00) or imprisonment of not less than one (1) month nor more than three (3) months, or both at the discretion of the court.

- d. In addition to the penalties provided for in Section 84a, the pedicab found to have been used, and operated for hire without the permit required under this Ordinance shall be impounded and shall be released only after the payment of an impounding fee of P50.00 and costs computed at P10.00 per day.
- e. Any person found using, allowing to or tolerating the use of any pedicab for hire without the required permit shall, after the third apprehension be punished by a fine of not less than five Hundred Pesos (P500.00) nor more than One Thousand Pesos (P1,000.00) or imprisonment of not less than two (2) months nor more than six (6) months or both, at the discretion of the court.

In addition, the pedicab in question shall be confiscated in favor of the City Government to be disposed of in accordance with the provisions of applicable existing laws.

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TRICYCLES

SECTION 85. REGISTRATION. All motorized tricycles operating within the territorial jurisdiction of the City of Mandaluyong shall register with the Tricycle Regulation Office.

No Motorized Tricycle Operator's Permit (MTO) shall be issued under this Ordinance unless:

- a. Applicant/operator is a bona fide resident and a registered voter of the City of Mandaluyong.
- b. Applicant has in his possession the unit or units sought to be operated.
- c. The unit or units sought to be registered must be road worthy.
- d. The unit or units sought to be registered should have a two-seater sidecar only.
- e. A business clearance certificate from the Barangay Captain having jurisdiction over the area used as terminal or point of origin of the tricycle have been secured.
- f. A silencer has been installed in the exhaust system of the tricycle to reduce the noise it emits.
- g. A garbage receptacle has been installed inside the tricycle.
- h. The unit/units are duly registered with the Land Transportation Office (LTO).
- i. Applicant has secured an insurance coverage for any liability he/she may incur to passengers and third parties in case of accident.
- j. The tricycle shall not be allowed to operate without the prescribed color scheme and without the payment of city license plate or stickers.

VALIDITY OF MOTORIZED TRICYCLE OPERATOR'S PERMIT (MTO). The permit shall be valid only up to December 31 of the year it was issued and must be renewed every year thereafter not later than January 31 of the following year.

SECTION 86 REGISTRATION FEES. An applicant for a Motorized Tricycle Operator's Permit (MTO) shall pay the following fees:

- A. REGISTRATION FEES - P150.00/unit
- B. CITY LICENSE PLATE - P150.00/pc
- C. STICKER - P 60.00/pc

Provided, however, that the City License Plate for motorized tricycle- for-hire shall be paid and released only upon approval of its franchise. The City License Plate may be used for a period of three (3) years replaceable thereafter, but shall be renewed yearly with a sticker bearing the current year of issuance to be attached to the license plate.

SECTION 87 CITY TRICYCLE FRANCHISING BOARD.

- A. CREATION AND COMPOSITION. The City Tricycle Franchising Board is hereby created pursuant to paragraph 3, sub-section VI, Section 458 of the Local Government Code, to be composed of the following:

CHAIRMAN Councilor Luisito E. Espinosa

VICE-CHAIRMAN Councilor Epifanio C. de Guzman

MEMBERS: Councilor Renato B. Sta. Maria

Councilor Danilo de Guzman

Councilor Gerardo B. Pe

- B. FUNCTION. The Board shall have the power:

- a. To accept, screen, evaluate and recommend to the Sangguniang Panlungsod the grant of franchise to qualified tricycle owners or operator/applicants including the determination of the optimum number of tricycle units that should be allowed to operate in any designated area or zone.
 - b. To conduct studies on the demands for motorized tricycle-for-hire service on a particular area or zone and submit copies of the same to the City Council for its consideration.
 - c. To identify motorized tricycle-for-hire terminals, area or zone in consultation with the concerned Tricycle Operator and Drivers Association, the Federation of Tricycle Operators and Drivers Association, the Barangay officials of the areas affected and the public, taking into consideration existing traffic laws and ordinances and the public's safety and convenience.
- C. The Secretary to the Sangguniang Panlungsod shall provide the secretarial support and assistance to the Board.

SECTION 88. CREATION OF TRICYCLE REGULATION OFFICE. There is hereby created the Tricycle Regulation Office whose functions shall be:

- a. To process application for Motorized Tricycle Operator's Permit (MTO) prior to its submission, with proper recommendation, to the Office of the Mayor for appropriate action. Provided, however, that for motorized tricycle-for-hire, the Certificate of Public Convenience shall have been secured first.
- b. To process all applications for a Certificate of Public Convenience (CPC) and forward the same, together with all the requirements for its issuance, to the City Tricycle Franchising Board for appropriate action.
- c. To strictly implement and enforce the provisions of this and other laws and ordinances relative to the operation of motorized tricycles in the City.

The Tricycle Regulation Office shall be a Division attached to the Office of the Mayor, under the supervision of the City Administrator and composed of the following staff:

- 1 - Division Chief
- 1 - Deputy Division Chief
- 12 - Enforcers
- 2 - Clerk
- 2 - Encoder

SECTION
89.

CERTIFICATE OF PUBLIC CONVENIENCE (CPC). All motorized tricycle-for-hire before it operates within the territorial jurisdiction of the City of Mandaluyong, shall first secure a Certificate of Public Convenience from the Sangguniang Panlungsod through the City Tricycle Franchising Board.

The Certificate of Public Convenience shall be valid for a period of three (3) years counted from the date of issuance and renewable for the same period upon previous application on or before the expiration of the period sought to be extended.

The Certificate of Public Convenience shall be issued subject to the following conditions:

- a. Applicant is a Filipino citizen;
- b. The tricycle shall operate like a taxicab service, that is upon demand and without a fixed route and only within the area or zone designated in the franchise;
- c. The tricycle shall not be operated on national highways, principal roads or streets and such other roads or streets as may be determined by the Tricycle Franchising Board;
- d. An operator who shall stop service completely shall automatically terminate and cancel his franchise. He may dispose off his unit or units by sale, thereafter informing the City Tricycle Franchising Board. Transfer to another zone or zones shall be allowed upon application for another franchise and subject to availability of franchise.
- e. Physical requirements. No franchise or Certificate of Public convenience (CPC) shall be issued unless the following requirements have been met:
 - i. clean windshield (no obstructing sticker or any similar dents)
 - ii. functioning horn
 - iii. headlights shall be set on one-half hour before sunrise and at least one-half hour before sunset
 - iv. two (2) signal lights (front and back) for turning Right or Left or for emergency purposes.
 - v. Tail light with functioning stop light
 - vi. Top chain cover extending to the rear wheel

f. Such other restrictions as may be

SECTION 90. PROHIBITED ACTS.

A.It shall be unlawful for drivers of motorized tricycle-for-hire:

a.To carry more passengers and/or goods than what the tricycle is designed for;

b.To collect more than the prescribed fare rate of P3.00 per passenger for the first kilometer plus P0.50 per kilometer in excess thereof. The schedule of said fare rate shall be posted in a conspicuous place inside the sidecar of the tricycle unit.

c.To refuse to convey passengers to their destination within their designated route or area of operation.

d.To operate without a professional drivers license issued by the Land Transportation Office (LTO).

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

SECTION 91. CERTIFICATE OF PUBLIC CONVENIENCE, FEES. An applicant for a Certificate of Public Convenience (CPC) shall pay the following fees:

| | |
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| Franchise (CPC) Fee - | P 20 0.0 0 per uni t to be pai d up on iss ua nc e of CP C |
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SECTION
92

FARE RATE

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DISCOUNTED
FARE

All students, disabled persons and senior citizens will be charged the minimum fare of Five Pesos (P 5,00) upon presentation of Identification Card.

SECTION
93.

PENAL PROVISIONS.

A. Owners/Operators of motorized tricycles shall be punished as follows:

a. For operating without the required Motorized Tricycle Operators Permit (MTO) - P1,000.00 fine

b. For violation of the conditions for the issuance of Motorized Tricycle Operators Permit (MTO)

First Offense - P 300.00 Fine

Second Offense - P 500.00 Fine

Third Offense - Cancellation of Permit, after due notice and hearing

B. Owners/Operators of motorized tricycle for hire shall be punished as follows:

a. For impounded motorized tricycle for hire without the required Certificate of Public Convenience (CPC) - P 2,000.00 Fine

b. For violation of the conditions of the Certificate of Public Convenience (CPC)

First Offense - P 500.00 Fine

Second Offense - P 1,000.00 Fine

Third Offense - Cancellation of franchise after notice and hearing

C. For violation of Section 87A, drivers of motorized tricycle-for-hire shall be punished as follows:

First Offense - P 200.00 Fine

Second Offense - P 500.00 Fine

Third/Succeeding Offense - P 1,000.00 fine or imprisonment for a period not exceeding six (6) months or both fine and imprisonment at the discretion of the Court.

D. For violation of Section 87-B. traffic law enforcers and persons duly authorized to enforce traffic laws shall be punished as follows:

a. Fine of not less than Two Thousand pesos (P2,000.00) but not more than Three thousand Pesos (P3,000.00) or suffer an imprisonment of six (6) months or both upon the discretion of the Court.

E. For violation of Section 86-e:

| | | |
|--------------|---------------|---|
| | First Offense | |
| - | P100.00 fine | |
| | Second | |
| Offense | | - |
| P150.00 fine | | |

F. PENALTY FOR LATE REGISTRATION – A surcharge of fifty percent (50%) shall be added to the amount due and payable should the applicant fail to register and pay within the time allowed by this Ordinance.

ARTICLE XV
LIGHTING, WARNING SIGNS, EQUIPMENT, ETC.

SECTION 94. LIGHTS ON MOVING MOTOR VEHICLES. No person shall drive a motor vehicle or a combination of a motor vehicle and trailer between sunset and sunrise, unless the motor vehicle or combination is equipped with appropriate lamps and reflectors prescribed as mandatory by the LTO to be carried by that vehicle or combination, and the lamps are lighted.

SECTION 95. DIMMING OF HEAD LIGHTS.

- a. The driver of a motor vehicle shall dim the headlights or tilt the beam downward whenever the vehicle is approached by any other vehicle traveling in the opposite direction.
 - i. when the other vehicle reaches a point 200 meters from his motor vehicle; or
 - ii. immediately when the light projected by every headlight of the other vehicle is switched to low beam and shall cause every headlight of his vehicle to remain on low beam until the other vehicle has passed.
- b. No person shall drive a motor vehicle without the required headlights that are capable of being operated on low beam.

SECTION 96. LIGHTS ON STATIONARY MOTOR VEHICLES.

- a. Subject to the provisions of Section 102, no person shall leave a motor vehicle waiting on a road with a lamp of a power exceeding seven watts lighted and showing to the front, except while the vehicle is loading or

unloading passengers or is compelled to remain stationary by the exigencies of traffic.

- b. No person shall leave a motor vehicle or a trailer waiting on or partly on any thoroughfare between sunset and sunrise unless that motor vehicle or trailer is equipped with
 - i. two (2) lamps (one on each side) showing a clear white light to the front and clearly visible under normal atmospheric conditions at a distance 180 meters, or where the motor vehicle or trailer is waiting on or adjacent to the boundary of the thoroughfare, one such lamp shall be on the side of the motor vehicle or trailer near to the center of the thoroughfare;
 - ii. appropriate rear lamps, number-plate lamps, front and rear clearance lamps and reflectors prescribed as mandatory by the LTO and the lamps so affixed are lighted.
- c. Paragraph (b) of this Section shall not apply
 - i. where the street lighting in the vicinity renders the motor vehicle or the trailer clearly visible at a distance of 180 meters; or
 - ii. to any motorcycle not connected to a sidecar, trailer left waiting parallel to and as near as practicable to the boundary of the thoroughfare.

SECTION 97. PORTABLE WARNING SIGNS FOR DISABLED VEHICLES.

- a. No person shall not drive a vehicle on a road, or permit a vehicle to be driven, unless that vehicle carries a portable early warning device complying with the specifications prescribed by the LTO.
- b. Whenever a disabled vehicle is stationary on a thoroughfare, the portable early warning devices shall be placed one to the rear of the vehicle and one to the front side nearer to the center of the thoroughfare at a distance prescribed by the LTO to give reasonable warning to approaching drivers.
- c. Nothing in this section shall affect any duty imposed by this Code to display lighted lamps on stationary vehicles.

SECTION 98. LIGHTS AND OTHER EQUIPMENT ON BICYCLES.

- a. No person shall ride or propel a bicycle between sunset and sunrise, unless it is equipped with:
 - i. a lighted lamp showing a clear white light to the front;
 - ii. a lighted lamp showing a clear red light to the rear;
 - iii. a red reflector on its rear; and
 - iv. a rear mudguard, the rear half of which is colored white.

- b. Such lamps and reflectors shall be of the types and affixed in the positions prescribed by the proper authority and shall be kept clean at all times.
- c. No person shall ride a bicycle unless it is equipped with
 - i. an efficient brake; and
 - ii. an efficient bell or some other suitable warning device.

SECTION 99. LIGHTS ON ANIMAL-DRAWN VEHICLES.

- a. No person shall drive or permit any animal-drawn vehicle or any trailer attached to it to be in any thoroughfare between sunset and sunrise, unless the vehicle or the trailer is equipped with appropriate front and rear lamps, clearance lamps and reflectors, as prescribed by proper authority and the lamps are lighted.
- b. All reflectors and lights prescribed under this Section shall be kept clean and shall not be obscured by any part of the vehicle or its load.

SECTION 100. LIGHTS ON TOWED VEHICLES. No person shall between sunset and sunrise drive a motor vehicle which is towing another vehicle unless a lighted lamp is attached to the portion of the towed vehicle facing any following vehicle, with a power not exceeding seven watts showing a clear red light visible under normal atmosphere conditions at a distance of 100 meters which lamp is so placed that:

- a. its center is not more than 1 meter above the ground; and
- b. it is in the center or to the left side of the center of that portion of the towed vehicle which faces any following vehicle.

SECTION 101. FLASHING WARNING LIGHTS.

- a. No persons shall drive or leave waiting a vehicle on which, is mounted a lamp displaying intermittent flashes, except
 - i. a lamp displaying intermittent red and/or blue flashes on top of an emergency vehicle;
 - ii. a lamp displaying intermittent amber flashes on top of;
 - ❖ a tow truck or motor breakdown service vehicle at the scene of an accident or breakdown; or
 - ❖ vehicle being used by a government, public or local authority in connection with its functions and occupying a hazardous position on the thoroughfare.
- b. A motor vehicle moving or stationary in a hazardous position on a thoroughfare because of an emergency situation, shall display such flashes from both sides of the front and rear of the vehicle by means of a flashing lamp signaling devices or Early Warning Device (EWD); provided, that display of such flashes and the operation of the Early Warning Device (EWD) are in accordance with the specifications of the LTO.

SECTION 102. SPOT LAMPS.

- a. No person shall cause or permit any spot lamp or search lamp offered or connected to any vehicle to be lighted unless:
 - i. the vehicle is stationary and the lamp is used only for the purpose of reading a road sign;
 - ii. the vehicle is outside a built-up area and the lamp is lighted and use only for the purpose of reading a road sign.
- b. The provisions of paragraph (a) of this Section shall not apply if the vehicle is an emergency vehicle which is being used by law enforcement agencies in the performance of their official function.

SECTION 103 MUFFLERS AND NOISE CONTROLLING DEVICES. No person shall operate a motor vehicle on a street unless such motor vehicle is equipped, at all times, with a muffler or mufflers in constant operation and of sufficient capacity for the motor, and equipped with an exhaust system to prevent the escape of excessive fumes or smoke and unusual noise.

Owners or operators of motor vehicles within the territorial jurisdiction of the City/Municipality shall at all times ensure that their vehicle comply with the exhaust emission standards set forth in Republic Act No. 8749, otherwise known as the "Philippine Clean Air Act of 1999" and its implementing rules and regulations.

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SECTION 104 SILENT ZONE FOR SCHOOLS, COLLEGES AND CHURCHES AND HOSPITALS.

The two (2) blocks where a school, college or university , church or hospital is located is hereby declared a "silent zone"

The Traffic Parking and Management Office is hereby directed to post sufficient official signs containing the prohibition in appropriate places in said complex.

Any person who violates this Ordinance shall, upon conviction, be punished by a fine of not less than Five Hundreds Pesos (P500.00) or by imprisonment of not more than thirty (30) days or both, in the discretion of the court subject to the No Contest Provision.

SECTION 105. WINDSHIELDS TO BE UNOBSTRUCTED AND EQUIPPED WITH WIPERS.

- a. No person shall drive any motor vehicle with any sign, poster, or other non-transparent material upon the front windshield of such vehicle which obstructs the driver's clear view of the highway.
- b. Posters or stickers approved by the proper authority shall be placed at the lower right hand corner of the front windshield.
- c. No person shall drive any motor vehicle with any non-transparent material or object suspended within the windshield area as viewed from the driver's seat nor shall any person drive any motor vehicle upon the hood of which is attached to any fixture ornament of any material which vibrates, or swings within view of the driver of said vehicle.
- d. The windshields on every motor vehicle shall be equipped with a wiper for cleaning rain or other moisture from the windshield and shall be maintained in good working order.

ARTICLE XVI
WEIGHT, SIZE AND LOAD

SECTION 106. GROSS WEIGHT, AXLE AND WHEEL LOADS. No motor vehicle or trailer or combination of such vehicles equipped wholly with pneumatic tires, which has a total gross weight, including vehicle and load, in excess of the requirements prescribed as mandatory by the LTO, shall be operated or moved upon any public road, street or highway.

SECTION 107 . PROJECTING LOADS ON PASSENGER VEHICLES. No passenger type vehicle shall be operated on any road with a load thereon projecting beyond the extreme width of the vehicle, regardless of the nature of the property being transported.

SECTION 108. LOAD TO BE PROPERLY SECURED. No vehicle shall be driven or moved on any road:

- a. unless such vehicle is so constructed or loaded as to prevent any of its load from dropping, shifting, leaking or otherwise escaping therefrom, except that sand may be dropped for the purpose of traction or water or other substance may be sprinkled on a roadway in cleaning or maintaining the roadway;
- b. with any load consisting partially or entirely of loose paper, empty cartons, crates, or any other material susceptible of being blown or carried by the wind, unless such load is entirely covered by tarpaulin, net, canopy, or other suitable material, effectively preventing any part of such load from being blown or carried by the wind.

SECTION 109. POLICE OFFICERS MAY WEIGH VEHICLES AND REQUIRE REMOVAL OF EXCESS LOADS.

- a. Any Traffic Officer having reason to believe that the weight of a vehicle and load is unlawful is authorized to require the driver to stop and submit to weighing by means of a portable or stationary scales and may require that vehicle be driven to the nearest public scales in the event such scales are within 2 kilometers.
- b. Whenever an officer upon weighing a vehicle and load as above provided, determines that the weight is unlawful, the officer may require the driver to stop the vehicle in a suitable place and remain standing until the portion of the load is removed as may be necessary to reduce the gross weight of the vehicle to such limit as permitted. All material so unloaded shall be cared for by the owner of the vehicle at their own risk.
- c. Any driver of a vehicle who refuses to stop and submit the vehicle and load to a weighing when directed by an officer shall be guilty of a misdemeanor.

SECTION 110. RESTRICTING THE USE OVER BRIDGES.

- a. No person shall drive or operate any motor vehicle having an aggregate weight of a vehicle and load in excess of the specified allowable weight indicated over any bridge in the City.
- b. No person shall drive any motor vehicle over any wooden bridge at a speed greater than 10 kilometers per hour.

SECTION 111. PERMIT TO MOVE EQUIPMENT AND/OR LOAD OF EXCESSIVE WEIGHT, WIDTH OR HEIGHT.

- a. No vehicle shall be moved, transported, or caused to be moved through the City streets having an equipment and/or load of excessive weight, width or height unless a permit or clearance has been issued by a duly authorized officer of the Traffic and Parking Management Office.

- b. All application for permits required under this Section shall be made in writing to the Traffic and Parking Management Office of the City and shall contain the following:
 - i. Description of the vehicle, equipment and/or load to be moved;
 - ii. Street location or other identifying description of the place to which the same is to be moved;
 - iii. Complete designation of the route is to be followed;
 - iv. Height, width and length of the same;
 - v. Time at which the movement of the vehicle will commence and terminate;
 - vi. The applicant shall have filed with the issuing officer, a certificate of any insurance carrier certifying that there is a comprehensive automobile liability insurance policy covering said applicant and his authorized agents, administrators and heirs in case of body injury or death of one or more persons in any accident or damage to or destruction of property.
- c. The head of the traffic engineering division of the City may, in his discretion, change and designate another route to be followed or the time during which the movement shall be made prior to the issuance of a permit.

ARTICLE XVII
TRUCK BANS AND PUBLIC TRANSPORT ROUTES

SECTION 112 .TRUCK ROUTES AND LIMITED TRUCK BAN. Cargo Trucks, gravel and sand trucks and other heavy cargo trucks with eight wheels and up, or whose gross vehicle weights exceed 4,500 kilograms, including tractor trailers or containerized haulers, shall not be allowed to travel on any City streets with no more than two lanes, except along the streets specified as truck routes in Appendix VII. The use of the truck routes shall be restricted to the hours of six in the morning (6:00 a.m.) to nine in the morning (9:00 a.m.), and from five in the afternoon (5:00 p.m.) to nine in the evening (9:00 p.m).

The City Mayor may, upon recommendation of the Traffic and Parking Management Office, ban the access for limited hours of any cargo trucks and heavy vehicles on any other street when conditions warrant and in order to ensure orderly traffic flow.

SECTION 113 ROUTES OF PUBLIC UTILITY BUSES AND JEEPNEYS. Public utility buses and jeepneys, including mega-taxis and shuttle vans with valid authorizations from the Land Transportation Franchising and Regulatory Board and whose routes terminate or originate within the City shall furnish the Traffic and Parking Management Office a copy of their approved routes. Subject transport groups shall adhere to their approved routes.

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

SECTION 114. VEHICLES FOR HIRE WITH NO FIXED ROUTES. Public land based transport conveyances with franchises to operate “vehicles for hire” with no specific routes such as Sedan Asian Utility Vehicles

(Mega Taxis), Pick-up Van, Station Wagon or Coach with no fixed routes and service in on a contract basis is prohibited to charge fare in excess of what is authorized by the Land Transportation Franchising and Regulatory Board.

SECTION 115. TRICYCLES AND PEDICABS. The regulation of tricycles and pedicabs in so far as application for and granting of permit to operate as a public transport for hire shall be governed by Article XIV of this Ordinance.

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However, in the granting or revision of routes or areas of operations, the recommendations of the Traffic and Parking Management Office shall be given consideration to ensure safety and minimize their traffic impact. In no case shall tricycles and pedicabs be permitted to run along national roads with heavy traffic, or operate along bus or jeepney routes. In the absence of off-street tricycle terminals or stations, the number of tricycles operating or to be operated maybe restricted or curtailed on a thoroughfare to minimize traffic congestion; in such a situation, no additional units shall be franchised.

ARTICLE XVIII DUTIES AND RESPONSIBILITIES WHILE OPERATING A MOTOR VEHICLE

SECTION 116 . LICENSE, MOTOR VEHICLE
REGISTRATION AND OTHER REQUIREMENTS.

- a. Only persons with license duly issued by the Land Transportation Office (LTO) shall be allowed to drive a vehicle;
- b. License restrictions must correspond to the type of motor vehicle being driven;
- c. Driver's license must, at all times, be with or in actual possession of the license while driving or operating a motor vehicle. It must be shown/surrendered to traffic enforcers when demanded;
- d. Only registered motor vehicles with proper registration shall be allowed to ply the streets; Motor vehicle's body number, engine number and color must correspond with the description in the registration paper/certificate of registration (RP/CR) that must be carried in the vehicle, and must be shown and surrendered to traffic enforcers when demanded;
- e. Driving in sleeveless shirt or slippers, or while using mobile phones or similar device is also not allowed.

SECTION 117 .STUDENT DRIVER PERMIT. No person possessing a student driver's permit shall operate a motor vehicle unless accompanied by a duly licensed professional 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.

SECTION 118. USE, POSTING OR DISPLAY OF FAKE/UNAUTHORIZED IDs, STICKERS, ETC.

- a. Only valid and regularly issued IDs, plates, stickers and tags shall be allowed to be displayed or posted on a properly designated part of the motor vehicles.
- b. Use, posting or display of fake identification cards, plates, stickers, etc. particularly those with reference to law enforcement agencies, including tampered, marked, unauthorized and improvised plates, are strictly prohibited.
- c. It also prohibits the improper, inconspicuous and improper display and transfer of plates, and posting of tags and stickers;

SECTION 119. CLEARANCE REQUIRED FOR CHANGE COLOR OR ENGINE OF MOTOR VEHICLES. Any person who shall undertake to change color or engine of a motor vehicle shall first secure a certificate of clearance from the Philippine National Police: Provided, that no such clearance shall be issued unless the applicant shall present a statement under oath containing the type, make and serial numbers of the engine, chassis and body of the motor vehicle.

SECTION 120..ROAD WORTHINESS OF MOTOR VEHICLE.

- a. Driver or operator of a motor vehicle 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.
- b. Dilapidated motor vehicles, together with right hand drives, are classified as road unworthy or road hazards.

ARTICLE XIX PUBLIC UTILITY VEHICLE OPERATIONS

SECTION 121. CONDITIONS OF OPERATIONS.

- a. Operators of public utility vehicles shall not allow another to use their commercial/business name (“Kabit System”) nor allow improperly license or unlicensed person to drive a PUV;
- b. Operators shall maintain their vehicle in clean or sanitary condition and equipped and painted with the required signs such as for hire, trade name, operator’s name and address, etc.
- c. Public utility vehicles shall ply their approved routes as stated in their franchise subject to Section 113, Article XVII of this Ordinance. Authorized routes must be properly painted on the PUV pursuant to LTO regulations. Failure or erroneous/improper painting of authorized route shall create a presumption that PUV is not plying on its authorized route or it is out of line;
- d. When plying, PUV should carry with it the copy of franchise/CPC/PA for presentation to traffic enforcers when demanded for verification;
- e. PUVs shall comply with the color coding, vehicle volume reduction program and similar vehicle volume mitigation programs;

- f. Fare matrix must be conspicuously displayed in the vehicle;
- g. Public transportation shall have designated seats for disabled persons:
 - i. Regular buses shall have at least five (5) designated seats for disabled persons near exit/entrance doors;
 - ii. First class, premier, and air-conditioned buses shall have at least four (4) designated seats for disabled persons near the door;
 - iii. For regular and air-conditioned city buses, other passengers may use these designated seats if not occupied and yield them to incoming disabled persons whenever the occasion arises;
 - iv. Jeepneys shall have at least two (2) seats, preferably the front seats as designated seats for disabled persons;
 - v. For jeepneys, other passengers may use these designated seats if not occupied and yield them to incoming disabled passengers only if the yielding passenger can still be accommodated at the back.

The designated seats shall be identified by symbols and signs.

- h. Drivers of Public Utility Vehicles including tricycles and pedicabs are required to post their Identification Card (I.D.) with 2 x 2 picture containing the name of the owner/ operator and/or driver and their addresses on the front portion of the windshield of their vehicles.

SECTION 122. TERMINAL FEES AND PERMITS. All terminals of public utility vehicles, whether privately or publicly owned, shall apply with the Traffic and Parking Management Office (TPMO) for a terminal permit and shall pay an annual fee of:

| | |
|------------|-----------------|
| P3,000.00 | for tricycles |
| P10,000.00 | for PUJs and FX |

After inspection of the terminal and completion of all requirements, a permit shall be issued in favor of the owner or President of the association.

SECTION 123. ACCESSORIES OF PUVs.

- a. In addition to the requirements in Section 118 hereof, PUVs must be equipped with the following proper accessories/accessories: light on taximeter and on top of taxi unit, clean seat covers, interior lights, etc.
- b. The unauthorized installation/use of jalousies, additional air-con, dim colored lights, dark glass tints, etc. is not allowed.

SECTION 124. PUV DRIVER'S OBLIGATIONS, DUTIES, AND RESPONSIBILITIES.

- a. Drivers of public utility vehicles, including conductors, must be duly licensed and in proper uniforms and, at all times, extend courtesy to fellow drivers and passengers;

- b. Shall not give preference, unjustly discriminate or refuse conveyance for reason of religion, color, race or creed, lowly station in life, etc. He is

obligated to transport his passengers from point of destination. No trip cutting is allowed;

- c. Shall not allow overloading, overcharging fares nor contract out services in violation of the franchise;
- d. Shall not operate taxi without meter or with un-calibrated or tampered taximeter seal, broken sealing wire, etc.

ARTICLE XX PEDESTRIAN RIGHTS AND DUTIES

SECTION 125 PEDESTRIAN CROSSING.

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

SECTION 126. DUTIES OF PEDESTRIANS.

A PEDESTRIAN:

- a. When on a footway, marked cross-walk, or pedestrian crossing, shall keep as close as practicable to the right side of the footway;
- b. When crossing a thoroughfare at an intersection shall keep right of pedestrian crossing in the opposite direction;
- c. When crossing a thoroughfare or portion of a thoroughfare shall do so promptly by shortest and most direct route, as may be practicable, to the thoroughfare boundary.

SECTION 127. RESTRICTIONS ON PEDESTRIANS.

A PERSON SHALL NOT:

- a. while waiting to wait a vehicle stand on any portion of thoroughfare;
- b. proceed from a footway towards a vehicle that has not fully stopped for the purpose of boarding it;
- c. alight from or board a moving vehicle, or do so at an area where loading and unloading is prohibited;
- d. remain on a pedestrian crossing, or marked cross-walk longer than is necessary for the purpose of passing over the thoroughfare with reasonable dispatch;
- e. stand up a footway thoroughfare so as to inconvenience, obstruct, hinder or prevent the free passage of any other pedestrian or any vehicle.

SECTION 128. PEDESTRIANS ON THOROUGHFARE.

EXCEPT WHEN THERE IS A SIDEWALK OR FOOTWAY, A PEDESTRIAN:

- a. proceeding along a thoroughfare shall, when practicable, travel on the thoroughfare or side of the thoroughfare used by vehicles traveling in the opposite direction, and shall keep as close as he can to the boundary of the thoroughfare on his left.
- b. shall not proceed along a thoroughfare abreast of more than one other pedestrian, except in a procession or parade authorized by the proper authority.

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ARTICLE XXI MISCELLANEOUS PROVISIONS

SECTION 129. OBSTRUCTION TO DRIVER'S VIEW OR DRIVING MECHANISM.

- a. No person shall drive a vehicle when it is over loaded, or when there are in the front seat such numbers of person, exceeding three, as to obstruct the view of the driver to the front or sides of the vehicles or as to interfere with the driver's control over the driving mechanism of the vehicle.
- b. No passenger in a vehicle shall ride in such a position as to interfere with the driver's view ahead or to the sides, or to interfere with his control over the driving mechanism of the vehicle.

SECTION 130. FOLLOWING FIRE TRUCK OR OTHER EMERGENCY VEHICLES PROHIBITED. The driver of any vehicle shall not follow any fire truck, ambulance or other emergency vehicle traveling in response to a fire alarm or emergency closer than 150 meters, or drive into or parked such vehicle within the block where a fire truck, ambulance or other emergency vehicle has stopped in answer to a fire alarm or emergency.

SECTION 131. PUTTING GLASS, SHARP OBJECTS ON A ROAD. No person shall throw or deposit upon any road, any glass bottle, glass, nails, tacks, wire, cans or any other substance likely to injure any person, animal or vehicle on a street or highway.

SECTION 132. TRACKING MUD, CEMENT OR DEBRIS UNTO THE ROAD. No vehicle using the public road shall track mud, cement or debris unto the traveled portion of such road in such quantities as will constitute hazard to the roadway or obscure the painted pavement markings thereon. In the event that mud, cement or debris, is unavoidably tracked unto the road, it shall be the duty of the owner of the offending vehicle to have said mud or spillage removed as quickly as possible.

SECTION 133. DRIVING THROUGH FUNERAL OR OTHER PROCESSIONS.

- a. No person shall drive a vehicle between the vehicles comprising a funeral or other authorized procession while they are in motion. When the lead car of any funereal or other procession shall have entered any intersection, notwithstanding the light conditions at those intersections controlled by signal devices, then all other traffic shall yield the-right-of-way to all vehicles comprising such funeral or other procession until

it has passed through the intersection. The foregoing provisions of this Section shall apply only to such funeral or other procession moving under police escort.

- b. No funeral, procession, assembly or parade containing 200 or more persons or 50 or more vehicles, excepting the Armed Forces of the Philippines and the forces of the police and fire departments, shall, occupy, march or proceed along any street except in accordance with a permit issued by the Traffic and Parking Management Office and such other regulations as set forth herein which may apply.
- c. A funeral procession composed of any number of vehicles shall be identified as such by the conspicuous display on the top center of each vehicle a banner not less than twenty centimeters (20 cm or 8 inches long) and ten centimeters (10 cm or 4 inches) wide, predominantly black or violet in color, with the word FUNERAL printed on both sides thereof, in letters no less than four centimeters (4 cm or 1 ½ inches) in height and the display on the top center of both the lead vehicle and the end vehicles of a flashing amber light having a minimum diameter of fifteen centimeters (15 cm or 6 inches). The flags and lights shall be fastened by means of magnets, suction cups, or strings. While in the procession each driver shall turn on the headlamps of his vehicle as further identification.

SECTION 134. A. DRIVING SCHOOLS, PRIVATE PROFESSIONAL DRIVER, INSTRUCTORS AND STUDENT DRIVERS are hereby prohibited from using the City's main thoroughfares during the following peak hours, to wit:

- a. 6:00 AM - 8:00 AM
- b. 11:00 AM - 1:00 pm (School zones under the City's main thoroughfares herein stated should be avoided during these hours.)
- c. 5:00 PM - 7:00 PM

B. CITY'S MAIN THOROUGHFARES

FIRST DISTRICT: Shaw Boulevard, General Kalentong St., Aglipay St.,
Martinez St., Nueve de Pebrero St.,
Ortigas Avenue,

P. Cruz, Libertad, Calbayog and EDSA

SECOND DISTRICT: The entire length of Boni Avenue, Maysilo St., P. Cruz, Barrangka Drive, San Francisco St., Pioneer and EDSA

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C. PENALTIES for violation of the prohibited hours shall be imposed on instructor based on the following schedule:

- 1. FIRST OFFENSE: Fine of Three Hundred Pesos (P300.00)
- 2. SECOND OFFENSE: Fine of Five Hundred Pesos (P500.00)
- 3. THIRD OFFENSE: Fine of One Thousand Pesos (P1,000.00)

In case violation of this Ordinance is committed by a Driving School, be it a partnership, corporation, association or any judicial entity, the partner, president, director, stockholder, manager or officer who consents to or knowingly tolerates such violation shall be held criminally liable therefore.

The additional penalty of revocation of business license and permits shall be imposed upon said establishment

- D. All DRIVING SCHOOLS are mandated to install lighted box or roof light on top of their vehicles, in addition to the signage/board, indicating that said vehicle is used by a student driver.

Any violation of this provision shall be penalized accordingly.

SECTION 135. RESTRICTING ANIMALS AND LIVESTOCK ON ROADS.

- a. No person owning, controlling or having the possession of any livestock or animals such as cattle, horses, swine, goats, etc., shall negligently permit any such livestock or animals to stray upon or remain unaccompanied by a person in-charge or control thereof, upon any road.
- b. No person shall drive or lead any such livestock upon, or across any street or road, without keeping a sufficient number of herders on continual duty to open the road so as to permit the passage of vehicles.

SECTION 136. SAFETY HELMETS FOR MOTOR CYCLISTS.

- a. A person shall not drive or ride upon a motorcycle unless that person is wearing a safety helmet on his head securely fastened under the chin of the wearer.
- b. A safety helmet referred to in paragraph (a) herein shall comply with the standard set by the proper authority.
- c. A person shall not drive a motorcycle while wearing a safety helmet to which is attached an eye protector unless that eye protector complies with the standards set by the proper authority.

SECTION 137. PRODUCTION OF DRIVER'S LICENSE TO TRAFFIC OFFICER. No person shall drive a motor vehicle on the road unless he or she has a valid driver's license issued by the LTO for that type of vehicle.

- a. Any person who drives a vehicle on road shall carry his driver's license with him at all times.
- b. Any person driving a motor vehicle on a road shall, when requested to do so by a member of the traffic force or any other authorized person, produce his license for inspection and state his true name and address.
- c. In this section "authorized person" means a person in uniform authorized by or under any Act to require a driver of a motor vehicle on a road to produce his driver's license.
- d. A bona fide tourist or transient who is holding an international license may be permitted to operate a motor vehicle in the city/municipality for the period not exceeding the expiry date of said license, or in accordance with international agreements to which the Philippines is a signatory.
- e. A person who knowingly drives a motor vehicle without having secured any appropriate license is guilty of a major offense, and shall be punishable with the highest penalty under Appendix VIII.

SECTION 138. OPENING DOORS AND ALIGHTING FROM VEHICLES. A person shall not open or leave open a door of a vehicle or alight from a vehicle unto a thoroughfare, so as to cause danger to other person using the road or so as to impede passage of traffic.

SECTION 139..USE OF HORNS, WARNING INSTRUMENTS. No person shall use or cause to be used the horn or any other warning instrument on a vehicle, except when necessary as a traffic warning or as indication that the driver of the vehicle intends to overtake another vehicle.

SECTION 140. USE OF SEATBELTS. A driver of any motor vehicle, as well as passengers occupying the front seats and other specified locations, must wear a seatbelt as provided for under Republic Act No. 8750 and the implementing rules and regulations issued by Land Transportation Office.

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SECTION 141 . OBSTRUCTING ROADS.

- a. A person shall not, without the written permission of the Traffic and Parking Management Office, drive or leave standing any vehicle on a road for the purpose of:
 - i. soliciting employment or business from the vehicle;
 - ii. displaying an advertisement on the vehicle; or
 - iii. offering foods for sale from the vehicle.
- b. A person shall not stand or place himself on a road for the purpose of:
 - i. soliciting contributions;
 - ii. display any advertisement; or
 - iii. offering goods for sale.
- c. A person in vehicle shall not buy or offer to buy an article from any person standing or placed on a road.
- d. A person shall not bar, impede or divert the flow or direction of traffic from any road, street or highway, unless authorized in writing or except when the closure of a road or any part thereof to traffic or the diversion of traffic is dictated by reasons of emergency to protect the public from any calamity, fire or other public danger.
- e. The prohibition contained herein shall also apply to the use of sidewalks by vendors, repair shops or any establishments.
- f. Stalled vehicles on thoroughfares shall be construed as obstructing traffic if not removed or towed within 5 minutes.

SECTION 142. DIGGINGS AND EXCAVATIONS ON EXISTING ROADS.

- a. 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 Traffic and Parking Management Office except in cases of emergency in which case the permit should be secured within three (3) working days.
- b. 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 Traffic and Parking Management Office so that timetable, remedial steps, and other precaution can be undertaken to minimize adverse effect on traffic flow.

- c. Excavators/diggers must at all times put up road signs for precautionary measures to motorists and pedestrians alike/or safety signs warning of excavation works ahead.
- d. 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 (150%) percentum 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 of completion of the excavation and to 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.

SECTION 143. ACCESS RESTRICTIONS ON SOME ROADS.

- a. It shall be unlawful for any person, natural or juridical, to close, obstruct, prevent, or otherwise refuse to the public or vehicular traffic the use of or free access to any subdivision or community street owned by the government and within the jurisdiction of the City of Mandaluyong or to exact fees in any form for the use thereof, unless with prior authorization of the Sangguniang Panlungsod. Such act is hereby declared a nuisance per se and the Mayor is hereby authorized to remove such closure or obstruction and to open the said road to the public *motu proprio* at the expense of the offender.
- b. Subdivision roads and/or private roads not turned over to the City may be opened to the public under the following conditions:
 - i. the road will strengthen the road network and provide traffic relief to nearby roads that are congested as may be determined by the Traffic and Parking Management Office;
 - ii. the Sangguniang Panlungsod has approved its opening, under such terms and conditions that will minimize or obviate any disturbance, pollution, or inconvenience to the residents in the area.

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SECTION 144. OTHER RESTRICTIONS. The use of streets, sidewalks avenues, alleys, bridges, parks and other public places in the City of Mandaluyong for commercial and personal purposes are hereby prohibited. Such prohibited acts include but not limited to the following:

- a. Vending or selling of foods, magazines, newspapers, cigarettes, brooms, watches or jewelries, shoes and other footwear, and/or any other items;
- b. Conduct of shoe-shine occupation;
- c. Conduct of “religious” activities, such as preaching and seeking alms;
- d. Doing house chores such as washing clothes, hanging clothes, and bathing;
- e. Vehicle garage and/or vehicle repair;
- f. Dumping garbage
- g. Setting up of basketball court/goal;
- h. Use of sidewalk to install pens of animals or keep animals in chains;

- i. Storing soft drinks or wine/liquor bottles and cases; drinking liquor and beverages and holding picnics/gatherings;
- j. Storing of junks and recyclable materials;
- k. Use of sidewalk of storage of construction materials for sale (pipes, tubing, lumber, cement, and the like);
- l. House extension or stall/store extension including installation of roofs or awnings;
- m. Installation of permanent or picket fence;
- n. Use of sidewalks for plants, trees and plant boxes; and
- o. Signs or signboards on or above sidewalks and detached from the business establishment.

All items, goods and structures found on or along roads, streets avenues, alleys, sidewalks, bridges, parks and other public places shall be confiscated by the City Government without prior notice. The same shall be treated as common or ordinary garbage and shall be disposed of as such. Provided, that food commodities maybe given to City Jail as food of prisoners or street children respectively. The City Government shall, not be held liable for any damage arising from the removal, confiscation or disposal of the said items.

ARTICLE XXII PROCEDURES AND PENALTIES

SECTION 145. PROCEDURES IN THE ISSUANCE OF ORDINANCE VIOLATION RECEIPT (OVR). Any person violating any provision of this Ordinance or any Ordinance of the City of Mandaluyong shall be issued an Ordinance Violation Receipt (OVR). In case of violation of the Traffic Management Code, a duly deputized traffic enforcement officer shall confiscate the driver's license and the issued receipt shall serve as Temporary Driver's License for five (5) days from date of issuance. Ordinance Violation Receipt (OVR) issued by other local government unit in Metropolitan Manila shall be honored or respected by the apprehending traffic enforcer.

Except when authorized or directed by law to immediately take a person arrested for violation of any of the traffic laws before a Court, the following procedures shall be observed in the apprehension of any person found violating any provision of this Ordinance:

- a. In case of drivers of motor vehicles, the traffic officer or deputized agent shall demand presentation of the driver's license and/or the registration of the motor vehicle. The apprehending officer shall then indicate the name and address of the driver, the license number and the issuing agency of the driver's license in the citation ticket. The name and the address of the owner and the registering agency of the vehicle, including the certificate of registration number shall likewise be indicated therein. The apprehending officer shall stipulate the specific violation and furnish copy of the citation ticket to the person apprehended.

Provided, if the violator has been apprehended by other LGU in Metropolitan Manila, the traffic enforcer shall confiscate the presented Ordinance Violation Receipt (OVR) and issue a new receipt who shall also indicate the city/municipality that made the first or second apprehension. In the event that the apprehended person decides to contest his/her apprehension, he/she may file a protest to the Adjudication Board created by the City Mayor whose decision shall be final.

- b. In case of business establishments found violating the provisions on traffic obstructions, the apprehending officer shall demand the presentation of Mayor's Permit, or in case of construction, the Building Permit; and indicate the name and address of the owner and the corresponding Mayor's or Building Permit Number, the particular provision violated and furnish copy of said Ordinance Violation Receipt (OVR). In the event, however, that the person found violating the provisions of this Ordinance is not engaged in any occupation or business requiring a permit, his name and correct address shall be ascertained and indicated in the Ordinance Violation Receipt (OVR).

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- c. In case of pedestrians found violating this Ordinance, they shall be taken to the nearest office of the Traffic and Parking Management Office to pay the appropriate penalty. In the event of inability to pay the fine or that the person decides to contest his apprehension, the apprehending officer shall immediately file the corresponding complaint before the Office of the City Prosecutor.

SECTION 146. FAILURE TO OBEY SUMMONS. Any person who fails to appear at the place and within the time specified in the summons issued to him by an officer upon his arrest for any traffic violation is guilty of misdemeanor.

SECTION 147. SUMMONS ON ILLEGALLY PARKED VEHICLE. Whenever any motor vehicle without driver is found parked or stopped in violation of any of the restriction contained in this Ordinance, the officer finding the vehicle shall note down its plate number and may take any information displayed on the vehicle which may identify its user, and shall conspicuously affix to the vehicle a summon for the driver to answer to the charge against him within seven (7) days, during the hours and at a place specified in the summon.

SECTION 148. FAILURE TO COMPLY WITH SUMMONS ATTACHED TO PARKED VEHICLES. Persons apprehended and issued citation tickets shall appear before the local Traffic and Parking Management Office for appropriate disposition within the period specified in the said ticket or written summons. Failure to appear shall be construed as waiver of their right to contest the citation and shall be liable for the payment of the corresponding charges.

If violator of the restrictions on stopping, standing or parking under this traffic code does not appear in response to a summon affixed to a motor vehicle within a period of seven (7) days, the proper authority shall issue to the registered owner of the motor vehicle to which the summon was affixed, a penal summon ordering his appearance in Court. The City shall also furnish the LTO on a periodic basis, the list of motor vehicles and their owners or drivers who had been issued summons.

SECTION 149. WHEN COMPLAINT TO BE ISSUED. In the event any person fails to comply with a summon given to him or attached to a vehicle or if any person fails or refuses to deposit bail as required and within the time permitted, the proper authority shall have a complaint entered against such person and secure the issuance of a warrant of his arrest.

Aside from filing of the appropriate action before the Court, the following administrative remedies for enforcement shall be undertaken:

- a. For driving-related violations, the Traffic and Parking Management Office shall communicate with the Land Transportation Office to hold in abeyance the renewal of driver's license or vehicle registration until clearance has been obtained from the City;

- b. For other violations, the Traffic and Parking Management Office shall immediately request for cancellation of the permit and the issuance of closure order from the City Mayor. In the event that the owner of the thing or object causing the obstruction on the sidewalk or city/municipal streets could not be determined, the Traffic and Parking Management Office shall cause its removal or impoundment.

SECTION 150. PROCEDURE FOR FILING OF COMPLAINTS BY APPREHENDED PARTY.

- a. A person apprehended for violation of this traffic ordinance and other related ordinances shall have a period of five (5) working days from date of apprehension within which to file his complaint before the Legal & Complaints Division of the Traffic and Parking Management Office (TPMO). Failure of the apprehended party to file his complaint within the period prescribed shall be deemed a waiver of his right to protest. It shall be incumbent upon the Hearing Officers to verify from the date indicated in the OVR whether or not the period has prescribed.
- b. The complaint shall be scheduled for hearing on a date where both parties are available. The hearing maybe reset twice, but in no case shall exceed fifteen days. Failure of one of the parties to attend the scheduled hearings shall be a waiver of his right to present evidence. The Hearing Officer shall decide based on the merits of the complaint and shall issue a Resolution. The complaint shall be decided immediately and shall in no case exceed fifteen (15) working days from the time the complaint was filed.
- c. Any request for extension of time to redeem the OVR shall be granted for seven (7) calendar days, extendible to another seven (7) calendar days. After two (2) extensions, the OVR shall be immediately paid to the TPMO Cashier. Any person granted an extension shall be denied the right to file a complaint with the Hearing Officer.

SECTION 151. PENALTY FOR VIOLATORS.

- a. Any violations of the provisions of the Ordinance shall be penalized with fines indicated in Appendix VIII hereof.
- b. Where the violator is not a driver, a written notice or citation to the offending party shall be issued by the deputized traffic enforcer.
- c. The violator shall have five (5) days from date of violation within which to redeem his license which shall only be released upon presentation of OVR and proof of payment of the appropriate fines. An additional surcharge of five percent (5%) for each day of delay or failure to pay the appropriate fine is hereby imposed until the full amount of fine and surcharge is paid.

SECTION 152 PENALTY FOR ENFORCERS

Any enforcer found guilty for improper apprehension in violation of the rules of engagement, as determined by the Hearing Officers based on evidence, shall be penalized as follows:

- 1st Offense - Warning
- 2nd Offense - Suspension for five (5) days

3rd Offense - Termination from Employment

Any formal administrative complaint against any enforcer shall be endorsed to the Human Resource & Personnel Management for appropriate action. The Civil Service Rules shall be applied in a suppletory character.

SECTION 153. COLLECTION. The Traffic and Parking Management Office is hereby authorized to collect franchising fees, supervisory and regulatory fees, and surcharges. It shall also have the authority to collect fines, penalties and surcharges for any violation of the provisions of this Ordinance and other City Ordinances enforced by the proper enforcement units. All fees and penalties collected by the Traffic and Parking Management Office (TPMO) shall accrue to the General Fund of the City Treasurer.

SECTION 153A: INCENTIVES TO ENFORCEMENT UNITS

For all collected fines and penalties from the issuance of the OVRs, a fifteen (15%) percent incentive shall be paid in the following manner:

1. Ten (10%) percent to all enforcers deputized by the City of Mandaluyong. It shall be based on the total apprehensions of each individual enforcer. Any traffic enforcer receiving hazard pay shall receive the 10% incentive less the hazard pay.
2. Three (3%) percent of the total collections shall be pro-rata divided among the Heads of the Enforcement Units, excluding the Assistant Department Head of Traffic and Parking Management Office (TPMO).
 - a. Smoke Belching Unit
 - b. Sidewalk Enforcement Unit
 - c. Tricycle & Pedicab Enforcement Unit
 - d. Anti-Smoking Unit
 - e. Mandaluyong Police Enforcement Unit
 - f. Motorcycle Unit
 - g. Traffic Enforcement Group – TPMO
 - h. Towing Services Division – TPMO
3. Two (2%) percent of the total collections shall be given to the Administrative Staff of all Enforcement Units and Traffic & Parking Management Office.

SECTION 153B. The fifteen (15%) percent incentives shall be given on a quarterly basis or every three (3) months in accordance with the proper accounting procedures.

SECTION 154. REDEMPTION CENTER. The Office of the Traffic and Parking Management Office where the traffic violation is committed shall serve as the redemption center where a violator shall redeem his driver's license upon presentation of the Official Receipt as proof of payment of the required fines to the Office of the City Treasurer. In case of impounded vehicle, it can be retrieved from the designated impounding area of the city/municipality upon surrender of the Impounding Receipt and presentation of certificate of registration including the official

receipt issued by the Office of the City Treasurer serving as proof of payment of the prescribed fine.

ARTICLE XXIII
GUIDELINES AND PROCEDURES FOR TOWING OPERATIONS

SECTION 155. GUIDELINES FOR TOWING VEHICLES. The Rules of Engagement shall be specifically followed by allowing enforcers.

- a. The towing company/agency, whether private or government shall be held responsible for losses/damages incurred while towing the vehicles.
- b. For illegally parked vehicles:
 - i. Attended illegally parked vehicles shall not be towed but the driver shall be immediately issued an OVR.
 - ii. Unattended illegally parked vehicle shall be towed and issued an OVR immediately upon arrival at the impounding area.
- c. For stalled vehicles as a result of flat tire
 - i. Stalled or illegally parked vehicle due to flat tire or engine trouble will be towed and OVR will be issued.
 - ii. Changing of flat tire on the road is not allowed.
- d. Stalled or illegally parked vehicle as a result of empty fuel tank may be towed to the nearest gasoline station, however, the towing fee should be paid to the tow truck in accordance with the number of kilometers from the point of origin to the gasoline station and an OVR shall be issued to the driver.
- e. Stalled or illegally parked as a result of engine trouble shall be towed in cases where the driver deliberately refuses to remove his vehicle or cannot move his vehicle due to the absence of equipment, etc. or to circumstances beyond his control, and an OVR shall be issued to the driver.
- f. Illegally parked vehicles that are already clamped to the two trucks shall not be subject for intercession by the owner of the vehicle or by the representatives of their company's tow truck.

SECTION 156 TOWING PROCEDURES.

- a. Upon receipt of the report on a stalled/illegally parked vehicle, the tow truck shall immediately proceed to the identified location thereof.
- b. Upon arrival at the identified location, the tow truck crew shall immediately call the Traffic and Parking Management Office to report on the said stalled/illegally parked vehicle. The following information must be provided:
 - i. Stalled/illegally parked vehicle's plate number, type, and color
 - ii. Vehicle's condition/other description
 - iii. Tow truck's name, plate number, address, and telephone number
 - iv. Names of towing crew/personnel
 - v. Designated impounding area or location where the stalled/illegally parked vehicle will be brought.

- c. The officer on duty of the Traffic and Parking Management Office shall verify on its records whether or not the said tow truck is duly accredited. If so, it shall record all above information in the official logbook of incoming reports and assign a control number for each entry or towing incident. He must also affix his signature opposite each entry.

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

- d. If the subject vehicle for towing is in the watch list of carnapped vehicle, then it will be reported to the proper authorities.

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- e. The Traffic and Parking Management Office shall give the go signal to the towing crew with the following instructions: “You are cleared to tow”, to indicate that they may proceed in the towing of the vehicle.
- f. Upon receipt of the instructions, the towing crew shall engage the tow-hook to the stalled or illegally parked vehicle.
- g. Before actual towing, if the owner is around, the tow truck crew shall issue an OVR. In case the owner/driver is not present, the notice shall be left to any traffic officer on duty at the site or to any responsible person who can give the notice to the owner.

The impounding area where the said vehicle shall be towed and impounded shall likewise be indicated.

- i. Should the vehicle owner refuse to accept the notice, then the notice shall be disregarded and the apprehending officer will place a notation in the notice that the owner refuses to accept before the vehicle is towed.
- ii. In all instances, an OVR will be issued as prescribed in Section 155.
- h. When the tow truck starts to move, within the first minute after towing, the tow truck crew shall advise the Traffic and Parking Management Office of the time of their arrival upon reaching the designated impounding area with the towed vehicle.
- i. The Traffic and Parking Management Office shall validate the above information.
- j. If the towed vehicle is not recorded in the logbook, the vehicle will be reported as missing and considered as carnapped.

SECTION 157. MONITORING OF TOWING OPERATIONS. It shall be unlawful for any person to engage in illegal towing activities in areas, road or street not covered by existing Ordinance.

- a. Traffic enforcement division shall be responsible in monitoring any suspicious or illegal towing operation being conducted in the City.
- b. In case of any suspicion on a tow truck conducting a towing operation which may arise due to the absence of the sticker to be issued by the City Government of Mandaluyong, the traffic enforcer shall stop the said tow truck for questioning. He shall call the proper authorities whether the said towing incident has been reported to it, and if the said tow truck is duly authorized.
- c. If the tow truck had no authority to operate the towing service within the City of Mandaluyong, the towing incident shall be considered an unlawful act, and the tow truck operator shall be charge for colorum operation. The traffic enforcer shall issue an OVR to the tow truck

operator through the driver for such violation and shall impound the said tow truck.

- d. The traffic enforcer shall report the illegally operating tow truck to the authorities with complete information on the towing vehicle and the towed vehicle.
- e. The Traffic and Parking Management Office shall send the above information to all law enforcement agencies to verify if same is among those reported as carnapped vehicle.
- f. Without prejudice to criminal or civil prosecution by the offended party, anyone proven to have violated this Ordinance shall be penalized as follows:

First Offense - Fine of P1,000.00

Second Offense - Fine of P3,000.00

Third Offense - Fine of P5,000.00 or imprisonment of fifteen (15) days or both at the discretion of the Court is an accredited contractor, the authority granted shall likewise be revoked.

SECTION 158. TOWING FEES. The towing fees herein stated shall be charged by the tow trucks for hire and shall be paid to the Office of the City Treasurer of the City of Mandaluyong.

| TYPE/LOAD OF VEHICLE | | TOWING FEE |
|----------------------|---|------------|
| CLASS A | Cars, jeepneys, all motorized two wheeled and three wheelled vehicle and other light vehicles | P1,500.00 |
| CLASS B | delivery vans, trucks not more than 4,000 kilos gross weight | P2,000.00 |
| CLASS C | buses, trucks, heavy equipment of more than 4,000 kilos gross weight | P2,500.00 |

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An additional amount of Two Hundred Pesos (P200.00) is hereby assessed for every kilometer in excess of 4 kilometers with the City impounding ground as the point of reference.

Motor vehicles or its attachment found illegally parked or stalled on portions of areas, highways, streets or roads declared as No Parking Zones shall be towed and impounded at the City Impound Ground and shall be released only after payment of the fees herein prescribed.

Share of the City in the towing fees shall be P400.00.

SECTION 159. TIME OF PAYMENT. The fines and towing fees imposed above shall be paid within three (3) days from date the vehicle was towed and impounded; provided, however, that should the owner or operator of the vehicle fails to pay the same within the said period, additional impounding fees is hereby assessed, as follows:

P40.00 per day for the first two (2) months;

P60.00 per day for the third and fourth months;

and

P80.00 per day for the fifth and sixth months but

not to exceed P10,000.00

Provided, further that if after six (6) months the towing fees and impounding fines have not been paid by the owner or operator, the impounded motor vehicle shall be sold at a public auction and the

proceeds thereof applied to the accumulated charges and the excess, if any, shall be returned to the owner or operator.

SECTION 160. ABSENCE OF TOWING VEHICLES. In the absence of towing vehicles owned by the City Government, the services of a towing contractor or contractors duly accredited with the Traffic and Parking Management Office (TPMO) shall be enlisted.

SECTION 161. VEHICLES NOT TOWED/IMPOUNDED. If for any reason an illegally parked or stalled vehicle is not towed and impounded, the owner or operator thereof shall pay the following fines:

| | | |
|---------|---|------------------------------|
| P200.00 | - | First offense; |
| P400.00 | - | Second offense; and |
| P600.00 | - | Third and subsequent offense |

The penalties herein provided shall also apply to motor vehicles or its attachment that stall or break down along national roads or highways and major thoroughfares within the territorial jurisdictions of Mandaluyong, Metro Manila including the streets enumerated in Appendix III.

ARTICLE XXIV
VEHICULAR VOLUME REDUCTION SCHEME

SECTION 162. PROHIBITED LICENSE PLATE ENDING. All motor vehicles, both public and private, with license plate ending as shown in the succeeding schedule hereof shall be prohibited except Saturday, Sunday and Holiday from operating in all national or city roads within the jurisdiction of the City of Mandaluyong from 7:00 a.m. to 10:00 a.m. and from 3:00 p.m. to 7:00 p.m. In the absence of a license plate, the last numerical digit of the conduction sticker shall be basis of prohibition.

| PLATE ENDING NUMBER | DAYS OF THE WEEK |
|---------------------|------------------|
| 1 and 2 | Mondays |
| 3 and 4 | Tuesday |
| 5 and 6 | Wednesday |
| 7 and 8 | Thursday |
| 9 and 0 | Friday |

Provided, that the whole stretch of the national roads within the jurisdiction of the City of Mandaluyong are exempted from the VVRP and shall remain open.

SECTION 163. USE OF NUMBER PLATES. At all times, every motor vehicle shall display in conspicuous places, one front and one in the rear thereof, the number plates issued by the Land Transportation Office.

The number plates shall be kept clean and cared for, and shall be firmly affixed to the motor vehicle in such a manner as will make it entirely visible and always legible.

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

In case of an improvised number plate, the driver shall keep the original of the authority issued by the Land Transportation Office available for presentation if required by an apprehending traffic enforcer.

Use of expired commemorative, personalized, and improvised license plates is hereby prohibited.

SECTION 164. EXEMPTED VEHICLES. Only the following vehicles are considered automatically exempted:

- a. Motorcycles;
- b. Ambulance, fire trucks, police patrol, military vehicles on official functions;
- c. Diplomatic vehicles with diplomatic plates
- d. Government vehicles with government plates or appropriate LTO stickers or marking expressly showing the name of the agency or office while in official use;
- e. Official media vehicles with markings expressly showing their company while in official use;
- f. Tow trucks duly accredited by the City of Mandaluyong.
- g. Vehicles used by medical practitioners in an emergency

SECTION 165. REQUIREMENTS AND PROCEDURES FOR EXEMPTION. The City Mayor may grant special exemption for vehicles not covered by the preceding section on a case to case basis or when the situation warrants or extremely necessary, subject to the following requirements/procedures:

- a. The application shall be filed with the Traffic and Parking Management Office that shall review the application if documents are in order and complete and validate entries therein before endorsement to the Office of the Mayor for approval and issuance of exemption.
- b. The following requirement shall be submitted:
 - i. Duly accomplished application form;
 - ii. Certificate of Registration of the vehicle(s)
 - iii. Proof of payment of filing fee;
 - iv. Documents in support of request for exemption.
- c. Any exemption granted by the Mayor shall be valid only for a period of three (3) months from date of issuance, subject to renewal.
- d. The certificate of exemption shall be in a prescribed original form duly signed by the City Mayor.

SECTION 166. FEES FOR EXEMPTION. Filing and processing fees shall be as follows:

| VEHICLE | FILING FEE | PROCESSING FEE |
|--|------------|----------------|
| Car/Private Jeeps | P 200.00 | P 500.00 |
| Vans/Delivery Panels, Public Utility Jeeps | 400.00 | 750.00 |
| Buses | 500.00 | 1,000.00 |
| Truck less than 4,000 kgs. | 600.00 | 1,200.00 |
| Truck more than 4,000 kgs. | 800.00 | 1,500.00 |

The filing and processing fees shall be paid to the City Treasury upon filing of the application the City Administrator shall release the certificate of exemption issued by the City Mayor.

ARTICLE XXV
TRAFFIC ADMINISTRATION

SECTION 167. CREATION OF TRAFFIC AND PARKING MANAGEMENT OFFICE. There shall be created a Traffic and Parking Management Office under the direct supervision and control of the Mayor. The Traffic and Parking Management Office is solely vested with the power to enforce and implement this Ordinance and such traffic management plans and programs that may hereafter be drawn or prepared.

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The Office shall have five (5) divisions with the following functions:

1. TRAFFIC ENGINEERING DIVISION
 - i. Identify traffic bottleneck points and establish priorities in implementing remedial measures;
 - ii. Formulate traffic engineering schemes, such as banning of turning movements, creation of one-way streets, prohibition of parking, designation of loading/unloading zones, installation of traffic signages, regulating speeds, and similar measures, in accordance with its approved priority list;
 - iii. Secure agreement on proposed traffic schemes;
 - iv. Install and maintain traffic signs, road markings and other traffic control devices or cause the preparation and installation of the same;
 - v. Recommend ordinances in support of traffic management schemes;
 - vi. Review major property development proposals as to their traffic impact, especially those involving land use conversion from low to high-intensity traffic generation;
 - vii. Identify private roads that should be opened to improve overall circulation, and initiate moves for the full or partial integration into the road network;
 - viii. Collect traffic data and statistics such as vehicular counts, road layouts and dimensions, etc.
 - ix. Review and approve request for road diggings, road constructions, temporary closures, parades, and conduct of extraordinary events that would reduce road capacity.
2. TRANSPORTATION PLANNING DIVISION
 - i. Provide technical inputs into the preparation and updating of the City's Land Use Plan, particularly the long-term road network plan of the City;
 - ii. Update and analyze the public transport routes and services covering tricycles, buses, jeepneys, and other public transport modes;

- iii. Provide the technical and staff support to the Sangguniang Panlungsod in regulating the operation of tricycles, pedicabs and other public conveyances within the administrative jurisdiction of the City;
- iv. Coordinate with public transport operators in the provision or operation of facilities like terminals and waiting areas;
- v. Appear in the hearings of the Land Transportation Franchising and Regulatory Board to ensure that the issuance of permits or Certificates of Public Convenience are consistent with the plans of the City;
- vi. Evaluate requests, in coordination with the City Planning Department, for variances from the zoning ordinance that are likely to have a significant traffic impact;
- vii. Formulate and advocate programs that will promote and encourage walking and trips by public transport and higher-capacity modes.

3. TRAFFIC ENFORCEMENT DIVISION

- i. Assign personnel to direct or control traffic at intersection and other locations requiring such intervention;
- ii. Execute the enforcement component of any traffic scheme devised or conceived by the traffic engineering division and approved by the Advisory Committee;
- iii. 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;
- iv. Conduct an investigation of any vehicular accidents that occur within the City;
- v. Coordinate with the Metro Manila Development Authority (MMDA) and the Philippine National Police (PNP), traffic enforcers and other affiliating agencies to harmonize personnel deployment and field operations within the city/ municipality;
- vi. Initiate the towing or removal of vehicles obstructing traffic;
- vii. Suggest changes in any traffic scheme, including provision of traffic signals;
- viii. Formulate and implement a local traffic education and road safety program.

4. TOWING AND PARKING MANAGEMENT DIVISION

- i. Establish, operate, maintain and/or administer terminals, parking facilities, bicycle paths, including collection of user fees and charges thereto;
- ii. Operate a towing unit, by itself or with private entities;
- iii. Initiate or administer pedestrian districts or streets temporarily or permanently withdrawn from vehicular use, including time allocation for use of roads other than for vehicles;

- iv. Take custody of vehicles and articles impounded by virtue of this Ordinance and secure the same in the City Impoundment Area until released to their owners or lawful claimants, or otherwise disposed of in accordance with this Ordinance.

5. SUPPORT SERVICES DIVISION

- i. Provide administrative services to all the divisions of the Bureau;
- ii. Provide management information services, including the collection of accident data, updating and maintenance of records, inventory of roads and traffic control devices;
- iii. Handle the paper work and documentation attendant to enforcement, such as the processing of traffic citation tickets and Ordinance Violation Receipts (OVR);
- iv. Conduct public information campaigns in support of any activities of Department;
- v. Provide other administration and logistics support to the various technical sections.

SECTION 168. QUALIFICATION OF THE DEPARTMENT AND DIVISION HEADS. The Traffic and Parking Management Office shall be headed by a Department Head who shall be appointed by the City Mayor and who shall serve coterminous with the term of office of the appointing authority. He shall be a natural-born citizen, a resident of the City of Mandaluyong at least 35 years of age, of good moral character and sound probity, a college graduate and trained in public administration, law, management, civil engineering, and/or traffic engineering and management.

The head of the Traffic and Parking Management Office shall have the rank of a Department Head and the salary and emoluments applicable to that position grade.

The heads of the five (5) divisions of the Office shall be appointed by the Mayor upon recommendation of the Office Head. A division head must be at least 30 years of age, college graduate, with appropriate expertise or equivalent experience in the field of assignment. An active PNP Officer may be designated as head of the Traffic Enforcement Division, prohibition against dual positions to the contrary notwithstanding.

SECTION 169. STAFFING. The number and composition of staff comprising each of the five (5) divisions of the Office shall be determined by the Office Head on an annual basis, taking into consideration the volume of work required to fulfill the functions efficiently and effectively, subject to the approval of the plantilla and budget by the Sangguniang Panlungsod. In addition, the City Mayor may deputize any City Government Officials, employees or barangay personnel to act as traffic auxiliaries. The appointed or designated traffic auxiliaries shall be under the operational supervision of the head of the Traffic Enforcement Division.

Existing personnel affected by the creation of the Office under Section 167, such as those involved in tricycle regulation, parking administration, traffic enforcement, shall comprise the initial staff of the divisions to which their functions belong.

SECTION 170. UNIFORMS OF TRAFFIC OFFICERS. In order to provide a distinction between Traffic Officers and members of the Philippine National Police (PNP), the Traffic Officers shall wear a uniform distinct from the uniform or attire of the members of the PNP. The determination of the color and type of uniform shall be left to the discretion of the City Mayor; provided, however, that no changes in the type, color or style of the uniform shall be allowed for a period of five (5) years, determined from the date the prescribed uniforms were first implemented.

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ARTICLE XXVI
FINAL PROVISIONS

SECTION 171. MISCELLANEOUS. Notwithstanding the provisions of this Ordinance, other existing Ordinances and laws to the contrary the City Mayor is hereby given full power and authority to issue Executive Orders and rules and regulations appurtenants hereto, with the end in view of making this Ordinance truly reflective of the ideals of good governance, especially in regulating the use and enjoyment of City streets.

The provisions of Department Order No. 96-693 issued by the DOTC on 13 November Revised Schedule of Administrative fees and charges of the Land Transportation Office (LTO) that are not inconsistent herewith are hereby adopted.

SECTION 172. SEPARABILITY CLAUSE. If for any reason, any section or provision of this Ordinance is declared illegal or unconstitutional other sections or provisions hereof which are not affected thereby shall continue to be in full force and effect.

SECTION 173. REPEALING CLAUSE. All previous issuances, ordinances, rules and regulations or parts thereof which are inconsistent or in conflict with the provisions of this Code are hereby repealed or modified accordingly.

SECTION 174. EFFECTIVITY. This Ordinance shall take effect upon approval.

ENACTED on this 6th day of December 2005 in the City of Mandaluyong.

I HEREBY CERTIFY THAT THE FOREGOING ORDINANCE WAS
ADOPTED AND APPROVED BY THE SANGGUNIANG
PANLUNGSOD OF MANDALUYONG IN REGULAR SESSION
HELD ON THE DATE AND PLACE FIRST ABOVE GIVEN.

JIMMY D. LACEBAL
Sanggunian Secretary

ATTESTED:

APPROVED:

CHERRY LYNN PABLO-SANTOS
City Councilor &
Acting Presiding Officer

NEPTALI M. GONZALES II
City Mayor

Date: December 12, 2005