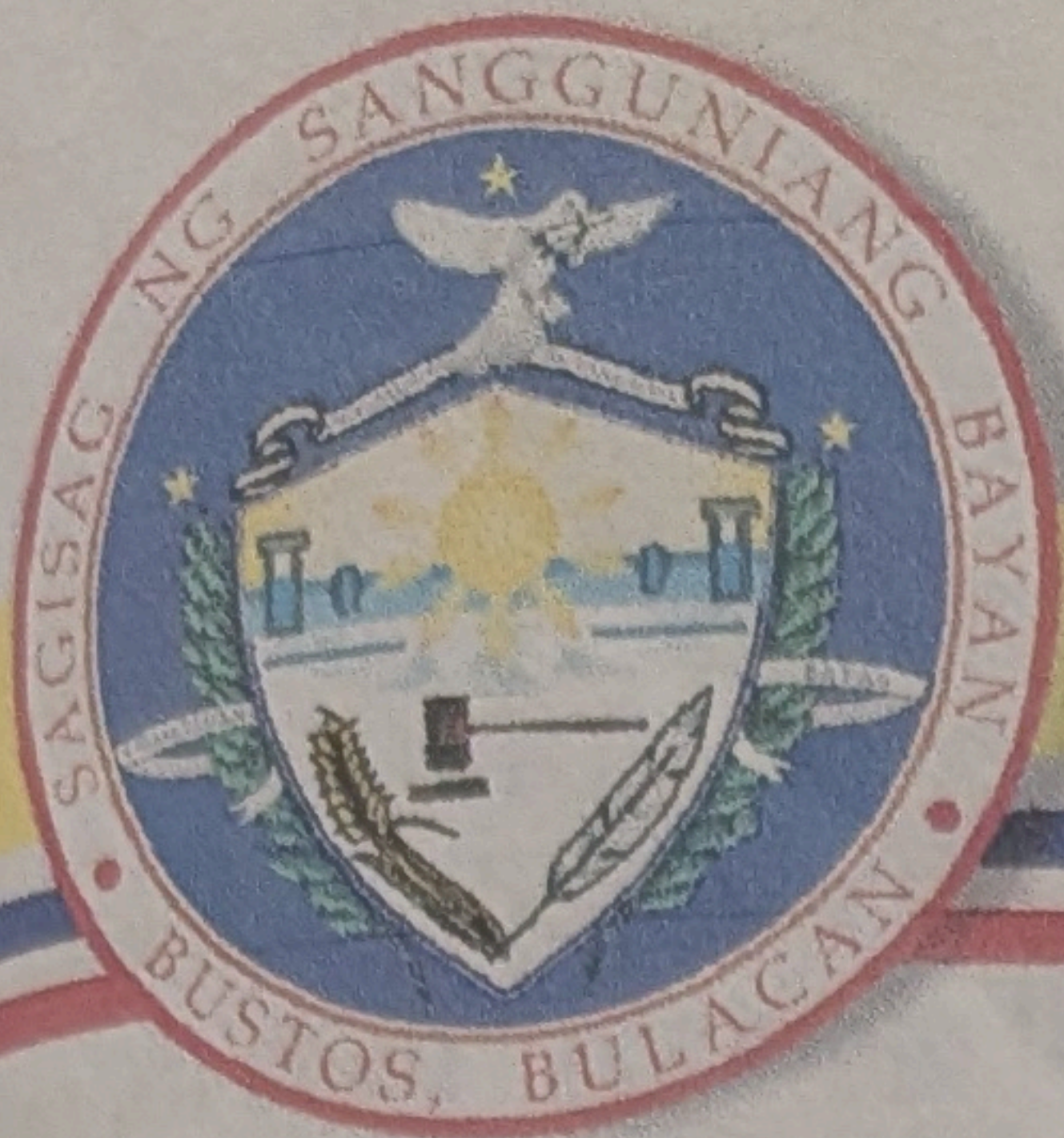




REPUBLIKA NG PILIPINAS
BAYAN NG BUSTOS
LALAWIGAN NG BULACAN

SANGGUNIANG BAYAN

EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE
SANGGUNIANG BAYAN OF BUSTOS, BULACAN HELD THIS 4TH DAY OF
FEBRUARY 2008 IN THE AMADO RAYMUNDO SESSION HALL

PRESENT:

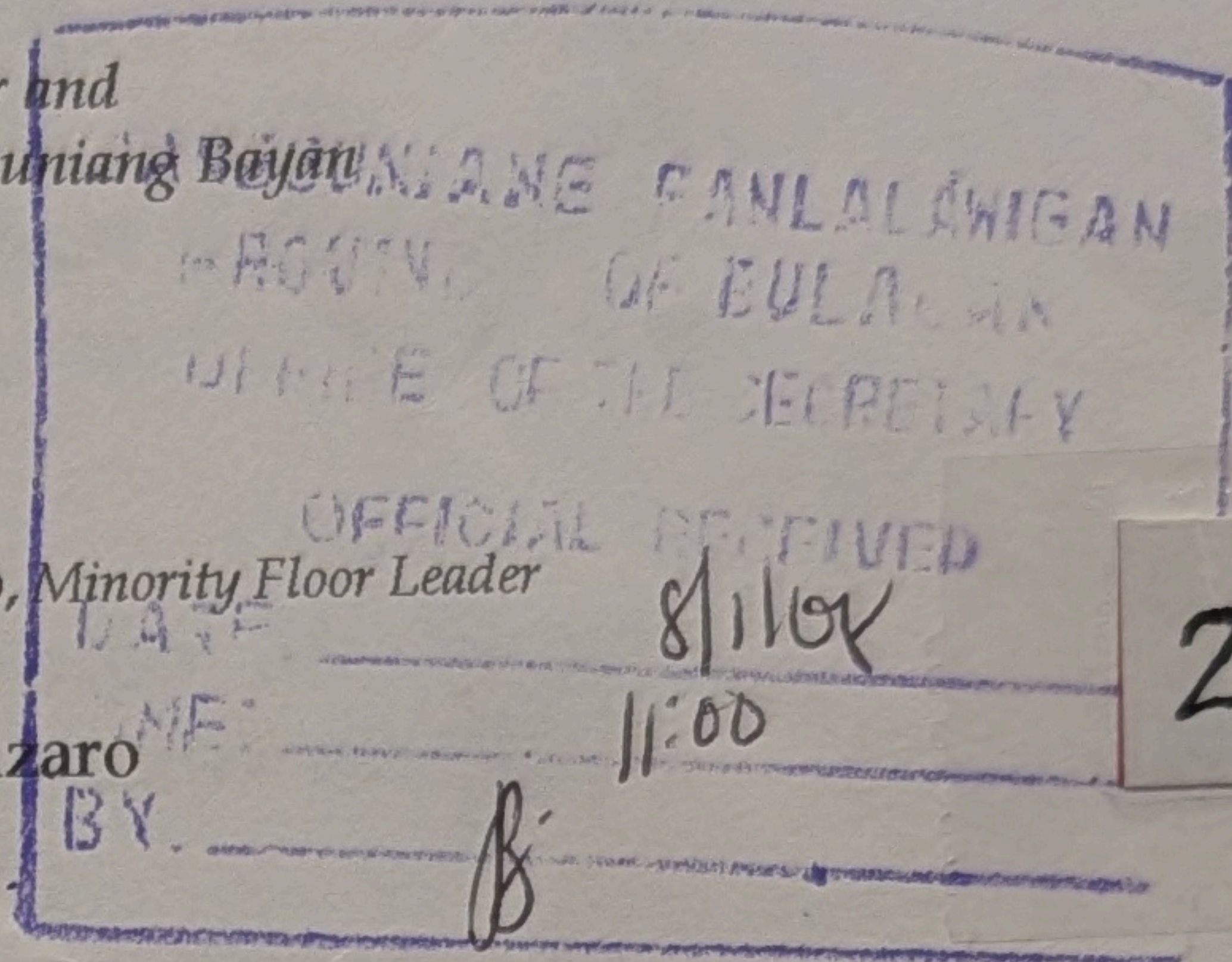
Hon. Felicisimo DR. Ramos Acting Municipal Vice-Mayor and
Presiding Officer of the Sangguniang Bayan

Sangguniang Bayan Members

Hon. Leonida L. Rivera, Majority Floor Leader	Hon. Wilfredo C. Cruz
Hon. Jennifer D. Villaroman	Hon. Juanito S. Bernardo, Minority Floor Leader
Hon. Rodrigo M. Santos	Hon. Noel T. Franco
Hon. Neil E. Garcia	Hon. Aprille Keith M. Lazaro

ABSENT:

Hon. Jahn Wilfred B. Santos



MUNICIPAL ORDINANCE NO. 24

AN ORDINANCE

ENACTING THE TRAFFIC MANAGEMENT CODE OF THE
MUNICIPALITY OF BUSTOS, BULACAN

Principal author:	Hon. Teodorico S. Gervacio
Co-authors:	Hon. Felicisimo DR. Ramos
	Hon. Wilfredo C. Cruz
	Hon. Leonida L. Rivera
	Hon. Jennifer D. Villaroman
	Hon. Juanito S. Bernardo
	Hon. Rodrigo M. Santos
	Hon. Jahn Wilfred B. Santos
	Hon. Noel T. Franco
	Hon. Neil E. Garcia
	Hon. Aprille Keith M. Lazaro

WHEREAS, Section 447 (a) (5) (v) of Republic Act No. 7160, otherwise known as the "Local Government Code of 1991," empowers the Sangguniang Bayan to approve Codes to "regulate the use of streets, avenues, alleys, sidewalks, bridges, parks and other public places x x x establish bus and vehicle stops and terminals or regulate the use of the same by privately-owned vehicles, which serve the public," and such other similar duties pertinent to use of streets;

WHEREAS, Section 447 (a) (5) (vi) of Republic Act No. 7160, otherwise known as the "Local Government Code of 1991," states that the Sangguniang Bayan shall "regulate traffic on all streets and bridges, prohibit the putting up of encroachments or obstacles thereon, and, when necessary in the interest of the public welfare, authorize the removal of encroachments and illegal construction in public places";

WHEREAS, it is the duty of the local government to "exercise powers expressly granted, those necessarily implied therefrom, as well as powers necessary x x x (to) preserve the comfort and convenience of their inhabitants" (Section 416 of Republic Act No. 7160, otherwise known as the "Local Government Code of 1991), and sound land traffic management is essential to the convenience and comfort of the public and contributory to the economic health of the municipality;

NOW, THEREFORE, on motion by the **Hon. Rodrigo M. Santos**, seconded by the **Hon. Jennifer D. Villaroman**, and adopted unanimously by all Sangguniang Bayan Members present:

BE IT ENACTED by the Sangguniang Bayan of the Municipality of Bustos, Bulacan in session assembled

ARTICLE I

GENERAL PROVISIONS

Section 1. SHORT TITLE - This Ordinance shall be known and cited as the "2008 Bustos Traffic Management Code."

Section 2. SCOPE - This Code provides for the traffic rules and regulations on all roads in the Municipality, 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 Municipality of Bustos, Bulacan. This Code, moreover, shall be applied to violation of traffic rules and regulations committed while driving on the national highways, provincial, municipal, and barangay roads within the territorial jurisdiction of this Municipality. Bulacan, 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 Municipality of Bustos, Bulacan that:

1. The flow of people and goods through the road network shall be as efficient, safe, unharmed and orderly as possible for the economic and social vitality and viability of the Municipality.

2. Road space is starting to become 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;

3. Traffic problems and issues must be resolved in rational manner, guided by facts and shaped through consultation, collaboration, and coordination with the surrounding municipalities, as well as national agencies like the Department of Public Works and Highways and the Department of Transportation and Communications.

4. The public has the right to be informed and to participate in the formulation of any measures that may affect their community and traveling habits.

5. Barangay government units must take part in the implementation of this Code as a collaborative undertaking to put order in the streets.

6. Human life shall be afforded maximum priority; hence the Municipal Government shall, through legislation and effective administration, ensure the safety of pedestrians, drivers and passengers, and, to this effect, shall maintain sidewalks and pedestrian lanes free from any and all obstructions.

Section 4. DEFINITION OF TERMS - As used in this Code, the following terms are hereby defined as follows:

1. Abandoned vehicle - any vehicle unattended for more than twenty-four (24) hours on a public highway.

2. Acceleration lane - a speed change lane used for increasing speed and merging with fast moving vehicles.

3. Alcoholic beverage - any alcoholic liquor or any cereal malt beverage.

4. Alcohol concentration - the number of grams of alcohol per 100 milliliters of blood or 210 liters of breath.

5. Alleys - Narrow streets or passageways.

6. Authorized 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;

- 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.
7. Authorized maintenance vehicle - any vehicle of the Municipal Government used in street lighting, traffic signal, highway construction and highway repair and maintenance works.
8. Authorized tow vehicle - any vehicle specially constructed for towing vehicles, other than trucks and farm or road tractors, which is designed as an authorized tow vehicle by the Municipality.
9. Bicycle - device propelled by human power upon which any person may ride, having two (2) tandem wheels, either of which is more than fourteen (14) inches in diameter.
10. Bicycle path or lane - a way established for the exclusive use of bicycle including tricycles propelled by human power, but exceeding pushcarts and animal drawn vehicles.
11. 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 pedestrians traffic, and prevalence of businesses and houses.
12. Center - in relation to a thoroughfare, means a line or series of lines marks on other indications at the middle of the thoroughfare or, in the absence of any such lines, marks, or other indications, the middle of the main traveled portion of the thoroughfare.
13. Center Line - Continuous or broken line marked upon the surface of a roadway by paint or by other traffic control devices to indicate such portions of the roadway allocated to traffic proceeding in the two opposite directions.
14. Broken Yellow Lines - A broken yellow line means that passing or overtaking another vehicle is allowed provided that both the way ahead and the roadway behind the vehicle are clear of any kind of hazard.
15. Double-Line with Broken and Solid Markings - A double line with broken and solid markings parallel to a single solid yellow line means that passing or overtaking is permitted only on the side of the broken line but not on the side of the solid line. This can be seen usually on two or three-lane roadways.

16. Channelized intersection – an intersection provided with islands meant to guide and limit vehicle movements.
17. Chief of police – the chief of police of the Municipality of Bustos, Bulacan.
18. 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.
19. Deceleration lane – a speed change lane used for decreasing speed, preparatory to stopping or exiting a fast lane.
20. Divided road – a highway or road with separated carriageways for traffic traveling in opposite directions.
21. Driver – any person having control of the directional and motive power of a vehicle.
22. Driver's license – any license to operate a motor vehicle issued under the laws of the Republic of the Philippines.
23. Decibel Meter – an instrument to measure the levels of sound intensity.
24. Driver – Shall mean any person duly licensed to drive a motor vehicle. This term is synonymous to the term "chauffeur".
25. Enforcer – Person hired / deputized to enforce traffic rules / ordinances.
26. Farm tractor – a motor vehicle designed and used primarily as a farm implement for drawing plows, mowing machines and other implements of husbandry and such term shall include every self-propelled instrument of husbandry.
27. Franchise – a special privilege conferred by the Municipal Government or an individual or corporation which does not belong to the citizens by common right. It is in the nature of a private contract between the Municipal Government and an individual or corporation which cannot be amended by implication.
28. Garage – Any building or space in which two or more motor vehicles, either with or without drivers, are kept ready for hire to the public, but shall not include street stands, public service stations, or other public places designated by proper authority as parking spaces for motor vehicles for hire while awaiting or soliciting business.
29. Helmet – Refer to any protective covering of the head in accordance to the national safety rules.

30. 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.
31. Highway - Every public thoroughfare, public boulevard, driveway, avenue, park, alley and *callejon*, but shall not include road way upon grounds owned by private persons or entities.
32. Horn - include any or every device for signaling by sound.
33. Intersection - the place at which two or more roads cross.
34. Jaywalking - Refers to the act of crossing the street, thoroughfares or highways outside the designated cross-walk or marked pedestrian lane or walking inside the designated cross-walk or marked pedestrian lane but in disregard of traffic rules and regulations including hand signal of the BEST Officer or traffic signal from electronic devices. It also includes walking along or outside the sidewalks of streets, thoroughfares or highways which hinders or obstruct the free flow of traffic causing inconvenience to the motorists or the other pedestrians.
35. Laned thoroughfare - means a thoroughfare divided into two or more marked lanes for vehicular traffic.
36. Low beam - means a beam of light projected from vehicle headlights such that none of the main bright portion of the thereof rises above a horizontal plane passing through the lamp centers parallel to the road level upon which the vehicle stands.
37. LTO - refers to the Land Transportation Office.
38. Merging - the converging of separate streams of traffic into a single stream.
39. 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.
40. Motorized bicycle or tricycle - a device having two (2) tandem wheels or three (3) which is propelled by motor and which has: (1) a motor which produces not more than 3.5 brake horsepower; (2) a cylinder capacity of not more than 130 cubic centimeters; (3) an automatic transmission; and (4) the capability of a maximum design speed of no more than 30 miles per hour.
41. Municipal Public Vehicle Permit (MPVP) - a document granting a license to operate, issued to a person, natural or juridical, who has a

franchise allowing him/her/it to operate tricycle-for-hire over a particular zone specified therein.

42. Muffler – a gadget attached to the exhaust system of a gasoline/diesel fed engine of a motor-vehicle or a tricycle to suppress excessive noise, as well as lessen smoke exhaust caused by combustion by the engine.

43. 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.

44. One-way thoroughfare – means a thoroughfare on which vehicles are permitted to travel in one direction only, as indicated by appropriate signs or signals.

45. Overtake – to pass or attempt to overtake or pass a slower-moving vehicle traveling in the same direction.

46. Parked – a vehicle is said to be parked if it is stationary for the period during which vehicle is not limited to the time needed to pick up or set down persons or goods.

47. Parking area – means a portion of the thoroughfare where parking is permitted as indicated by appropriate notices or parking signs.

48. Pedestrian – any person afoot; in a wheelchair, either manually or mechanically propelled; in other low powered, mechanically propelled vehicle designed specifically for use by a physically disabled person; or using an electric personal assistive mobility device.

49. Pedestrian lane – means a portion of a thoroughfare between two or more parallel lines marked across the thoroughfare, intended for use of pedestrian.

50. Public place – any place where the public have access, upon payment or otherwise.

51. Private Motorized Tricycle – a motorcycle with a wheeled side car unit bearing no body number and with a private plate utilized or operated for some personal or specific purpose, other than a public utility within the Municipality of Bustos, Bulacan.

52. Public Transport Shed / Public Transport Terminal – a passenger waiting station or shed designated by the Bustos Traffic Management Office (BTMO).

53. Public Utility Jeepneys – a motor vehicle designed for carrying more than ten (10) passengers and used for the transportation of persons, and a motor vehicle, other than a taxicab, designed and used for the transportation of persons for compensation.

54. Public Utility Tricycle - shall refer to a three-wheeled motor vehicle granted franchise by the Sangguniang Bayan to operate and transport passengers and/or goods within the Municipality of Bustos, Bulacan.
55. Red zone - a portion of the roadway reserved as parking space for authorized emergency vehicles.
56. Reckless driving - a person while driving a motor vehicle fails to take such ordinary care as under the circumstances it is his/her legal duty to do avoid injury to person or property.
57. Reflectorized Stickers - refer to any adhesive material, decal or metal object or device with a polished surface for reflecting light or provide illumination during night time.
58. 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.
59. Road marking - any traffic-control device laid out or painted on the surface of the road or carriageway used to regulate traffic or to guide road users, used either alone or in conjunction with other signs or signals to emphasize or clarify their meaning.
60. Roundabout - an intersection where all traffic travels in one direction around a central or circular island.
61. School Zone or Children Crossing Road Sign - If a road or thoroughfare has a "school zone or children crossing road sign," it indicates that there are children about to cross the street. In no case shall the speed of the motor vehicle be more than twenty (20) kilometers per hour.
62. Separation line - a line marked on the pavement of a thoroughfare to separate traffic traveling in opposite direction.
63. Sidewalk - the portion of the road set aside for pedestrian use only.
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.
64. Solid Center Line Markings - If a road or thoroughfare has a solid center line marking it means that "no vehicle is allowed to overtake another" in that particular roadway section. If a road or thoroughfare has a "broken white lines" it means that motor vehicle is allowed to overtake another in that particular roadway section and that passing to the left or right side is allowed provided that the way is clear.

65. Solid Double Yellow Lines - If there are solid double yellow lines at the left lane of the roadway it means that it is unsafe to pass or overtake another vehicle. Crossing the yellow lines in order to pass or overtake another vehicle is not allowed.
66. Solid Yellow Lines - A solid yellow line at the left lane of the roadway means that it is not safe to pass and hence, no overtaking is allowed therein.
67. Stop line - a line marked across the thoroughfare near a traffic-control stop sign, children's crossing or intersection.
68. Thoroughfare - means that portion of road improved, designed or used for vehicular travel exclusive of the shoulder and sidewalk.
69. Traffic-control signal - means any device using a word or words, a symbol or symbols, a colored light or light or any combination thereof, operated mechanically, electrically, manually or otherwise by means of which traffic may be controlled or regulated.
70. Traffic island - as defined are 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.
71. Trailer - a vehicle not otherwise self-propelled, usually attached to the rear of a motor vehicle.
72. Two-way thoroughfare - means any thoroughfare where traffic is permitted in opposite directions.
73. 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.
74. 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.
75. Waiting - means a vehicle permitted to remain stationary with the motor running.
76. Yellow box - the portion of the intersection marked with yellow lines that should be kept clear of vehicles at all times.
77. Zebra Road Sign - If a road or thoroughfare has a "zebra road sign" or "two solid line road sign" crossing the street or passageway it means that pedestrian may use that portion or section of the road in crossing the street whenever it is clear of traffic, or if the intersection has a traffic light then the "go-signal" for pedestrian is on.

ARTICLE II INSTITUTIONAL MECHANISMS

Section 5. CREATION AND COMPOSITION OF THE BUSTOS TRAFFIC MANAGEMENT OFFICE (BTMO) - There is hereby created the Bustos Traffic Management Office or BTMO to be composed of the Municipal Mayor as Chairperson, the Municipal Vice-Mayor as Vice-Chairperson, and the Chief of Police, the Municipal Engineer, the Municipal Planning and Development Coordinator, and one (1) representative from each of the two (2) non-government public utility vehicle drivers and operators' associations accredited by the Sangguniang Bayan, as members. The appointment of the foregoing shall be supported by resolution of the Sangguniang Bayan.

Section 6. POWERS AND DUTIES OF THE BUSTOS TRAFFIC MANAGEMENT OFFICE (BTMO) - (a) The Bustos Traffic Management Office (BTMO) shall be vested with the power to formulate traffic plans and programs. It shall be the highest policy-making body on all matters regarding traffic and land transportation management.

(b) The BTMO shall also have the following powers and duties:

1. Identify traffic bottleneck points and establish priorities in implementing remedial measures;
2. Formulate traffic engineering schemes, such as banning of tuning movements, creation of one-way streets, prohibition of parking, designation of loading/unloading zones, installation of traffic signage, regulating speeds, and similar measures, in accordance with its approved priority list;
3. Secure agreement on proposed traffic schemes;
4. Recommend to the Sangguniang Bayan ordinances in support of traffic management schemes;
5. Review major property development proposals as to their traffic impact, especially those land use conversion from low to high-intensity traffic generation;
6. Provide technical inputs into the preparation and updating of the Municipality's Land Use Plan, particularly the long-term road network plan of the Municipality;
7. Update and analyze the public transport routes and services covering tricycles, buses, jeepneys, and other public transport modes;
8. Evaluate requests, in coordination with the Municipal Planning and Development Office for variances from zoning ordinances that are likely to have a significant traffic impact;

9. Formulate and advocate, programs that will promote and encourage walking and trips by public transport and higher-capacity modes;
10. 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;
11. Recommend to the Sangguniang Bayan the amount of fares or adjusted fare increases periodically to be imposed in a particular zone or fixed route;
12. Recommend to the Sangguniang Bayan other reasonable fees and related charges in the regulation of tricycle-for-hire after conducting public hearing for that purpose;
13. Identify private roads that should be opened to improve overall circulation, and infinite moves for full or partial integration into the road network;
14. Review and request for road diggings, road constructions, temporary closures, parades, and conduct of extraordinary events that would reduce road capacity;
15. Coordinate with public transport operators in the provision or operation of facilities like terminals and waiting areas;
16. Appear in the hearing of the Land Transportation Franchising and Regulatory Board to ensure that the issuance of permits or certificates of public convenience with the plans of the Municipality;
17. Hear and decide cases forwarded by the BEST pertaining to contested apprehensions; and
18. Perform such other duties and functions as may be authorized by the Sangguniang Bayan.

Section 7. BUSTOS ENFORCEMENT AND SAFETY TEAM (BEST)

(a) There shall be created under the Bustos Traffic Management Office (BTMO) a Bustos Enforcement and Safety Team (BEST) which shall be solely vested with the power to enforce and implement this Code and such traffic management plans and programs that may hereafter be drawn or prepared by the Bustos Traffic Management Office (BTMO).

(b) The BEST shall have an Executive Director to be appointed by the BTMO.

(c) The BEST shall have the following functions:

1. Maintain an office or secretariat, as far as practicable, wherein all operations thereof shall be centralized;
2. Serve as the corps of traffic enforcers, hereinafter referred to as the BEST Officers, who shall directly manage the flow of traffic, persons and goods, with the power to issue Ordinance Violation Receipts (OVR);
3. Install and maintain traffic signs, road markings and other traffic-control devices or cause the preparation and installation of the same;
4. Collect traffic data and statistics such as vehicular counts, road layouts and dimensions, and others;
5. Provide the technical and staff support to the BTMO in regulating the operation of tricycles; pedicabs and other public conveyances within the administrative jurisdiction of the Municipality;
6. Assign personnel to direct or control traffic at intersection and other locations requiring such intervention;
7. Execute the enforcement component of any traffic scheme devised or conceived by the BTMO;
8. Enforce applicable traffic rules and regulations, including apprehensions and issuance of traffic citation tickets to drivers found in violation of any provisions of this Code;
9. Conduct an investigation of any vehicular accidents that occur within the Municipality;
10. Coordinate with the Philippine National Police (PNP), traffic enforcers and other affiliate agencies to harmonize personnel deployment and field operations within the Municipality;
11. Initiate the towing or removal of vehicles obstructing traffic;
12. Suggest to the BTMO changes in any traffic scheme, including provisions of traffic signals;
13. Implement a local traffic education and road safety program;
14. Establish, operate, maintain and/or administer terminals, parking facilities, bicycle paths, including collection of user fees and charges thereto;
15. 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;

16. Take custody of vehicles and articles impounded by virtue of this Code and secure the same in the municipal impoundment area until released to their owners or lawful claimants, or otherwise disposed in accordance with this Code;
17. Provide management information services, including the collection of accident data, updating and maintenance of records, inventory of roads and traffic-control devices;
18. Handle the paper work and documentation attendant to enforcement, such as data, updating and maintenance of records, inventory of roads and traffic-control devices;
19. Conduct public information campaigns in support of any activities of the Department;
20. Provide other administration and logistics support to the various technical sections; and
21. Provide other task that may be assigned by the BTMO.

ARTICLE III VEHICLES

Section 8. REQUIRED EQUIPMENTS AND GEARS IN A VEHICLE.

- All vehicles plying the roads of the Municipality shall have the following:

1. **Brake** - Every motor vehicle with four (4) or more wheels shall be provided with dual hydraulic brake system so that in case of hydraulic line failure affecting the braking efficiency of any of the four wheels at least either the front or rear wheels shall retain normal braking capabilities. In the absence of such dual braking system, every motor vehicle with four (4) or more wheels shall be provided with safety valve devices of such design and make so that failure of the hydraulic braking system of the vehicle because of leakage in the line or other parts of the system will not affect all wheels but rather render at all times effective the braking power of either the two (2) front wheels or the two (2) rear wheels when brakes are applied. This requirement, however, does not apply to motor vehicles equipped with pneumatic braking system.
2. **Headlights** - Every motor vehicle of more than one (1) meter of projected width, while in use on any public highway, shall bear two (2) headlights, one on each side, with white or yellowish light visible from the front, which, not later than one-half hour after sunset and until at least one-half hour before sunrise and whenever weather conditions so require, shall both be lighted.

Additional lamps and light may be carried but no red lights shall be visible forward or ahead of the vehicle. Trucks, buses, trailers, and

other similar vehicles must carry, while in use on any public highway during night-time, colored riding lights on each of the four (4) corners not more than ten (10) centimeters from the top.

All motor vehicles shall be equipped with devices for varying the intensity of light, and the driver must dim the headlights or tilt the beams downward whenever the vehicle is being operated on well-lighted streets or whenever such vehicle meets another vehicle on any public highway.

3. **Horns** - Every motor vehicle shall have a horn or signaling device in good working order: *Provided*, however, That no horn or signaling device emitting an exceptionally loud, startling, or disagreeable sound shall be installed or used on any motor vehicle.

All authorized emergency vehicles, such as ambulance, police cars, fire wagons and barangay patrols used for emergency calls shall be equipped with a bell, siren, or exhaust whistle of a type approved by the Land Transportation Office (LTO) and no such device shall be installed or used in any other vehicle.

No vehicle not classified as a motor vehicle such as bicycles shall be equipped with a horn or signaling device similar to the horn customarily used on motor vehicle.

4. **Mufflers** - Every motor vehicle propelled by an internal combustion engine shall be equipped with a muffler, and whenever said motor vehicle is being operated its muffler shall not emit or make unnecessary or disagreeable odor, smoke or noise.
5. **Stop Lights** - Every motor vehicle shall be equipped at the at the rear with at least one lamp which shall throw a sustained bright red light visible under all conditions, even under bright sunlight, when the brakes are applied. Each bus, truck, trailer, or similar vehicle shall be equipped, as its stop light at or near its rear center, with a lamp at least twelve (12) centimeters in size.
6. **Tail Lights** - Every motor vehicle and trailer shall, during the above-mentioned hours, also bear on each side in the rear a lamp showing a red light visible at least one hundred (100) meters from the rear of the vehicle and a lamp throwing a white light upon the number plate issued for such vehicle.
7. **Tires** - No motor vehicle with metallic tires shall be operated upon any public highway, and solid tires whenever used shall be of sufficient thickness to prevent the metal rims thereof from coming in direct contact with the road.

8. **Windshield Wiper** - Every motor vehicle shall be equipped with a mechanically or electrically operated device for wiping off raindrops or other moisture from its front windshield.

9. **Reflector** - Every motorcycle and motor-driven cycle shall carry on the rear, either as part of the tail lamp or separately, at least one red reflector

Section 9. LIGHTS WHEN PARKED OR DISABLED. - Appropriate parking lights or flares visible one hundred (100) meters away shall be displayed at a corner of the vehicle whenever such vehicle is parked on highways or in places that are not well-lighted or is placed in such manner as to endanger passing traffic.

Section 10. VISUAL SIGNALS IN SCHOOL BUS OR VEHICLE, CHURCH BUS OR DAY CARE PROGRAM BUS. - (a) Every school bus or vehicle and church bus or day care program bus shall be equipped with red visual signals, which may be actuated by the driver of the such vehicle whenever but only whenever such vehicle is stopped on the highway for the purpose of receiving or discharging school children.

(b) Every said vehicle shall bear upon the front and rear thereof plainly visible signs containing the words "School Bus" or "School Vehicle" or "Church Bus" or "Day Care Bus" in letters not less than eight (8) inches in height.

(c) When such vehicle is being operated upon a highway for purposes OTHER than the actual transportation of children either to or from school or to or from interschool or intra-school functions or activities or to or from church, or SOLELY for maintenance, repair or storage purposes, all markings thereon indicating "school bus or vehicle" or "church bus" or "day care bus" shall be covered or concealed.

Section 11. USE OF RED FLAG. - Whenever the load of any vehicle extends more than one (1) meter beyond the bed or body thereof, there shall be displayed at every projecting end of such load a red flag not less than thirty (30) centimeters both in length and width, except that during night-time there shall be displayed, in lieu of the required red flags, red lights visible at least fifty (50) meters away.

ARTICLE IV OPERATION OF BICYCLES, MOTORIZED BICYCLES, LOW POWER CYCLES AND PLAY VEHICLES

Section 12. EFFECT OF REGULATIONS. - (a) Violation of any provision of this Article is a traffic infraction.

(b) The parent of any child and the guardian of any ward shall not authorize or knowingly permit any such child or ward to violate any of the provisions of this Article.

(c) This Article shall apply whenever a bicycle is operated upon any road or upon any path set aside for the exclusive use of bicycles, subject to those exceptions stated herein.

Section 13. TRAFFIC LAWS APPLY TO PERSONS RIDING BICYCLES. - Every person riding a bicycle upon a roadway shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle, except as otherwise provided in this Article and except as to those provisions of this Code which by their nature can have no application.

Section 14. RIDING ON BICYCLES; SEATS; RIDERS LIMITED. - (a) A person propelling a bicycle shall not ride other than upon or astride a permanent and regular seat attached thereto.

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

Section 15. CLINGING TO VEHICLES. - No person riding upon any bicycle, coaster, roller skates, sled or toy vehicle shall attach the same, himself or herself to any vehicle upon a roadway.

Section 16. RIDING ON ROADWAYS AND BICYCLE PATHS. - (a) Every person operating a bicycle or a moped upon a roadway at less than the normal speed of traffic at the time and place and under the conditions then existing shall ride as near to the right side of the roadway as practicable, except under any of the following situations when:

1. Overtaking and passing another bicycle or vehicle proceeding in the same direction;
2. Preparing for a left turn at an intersection or into a private road or driveway; or
3. Reasonably necessary to avoid conditions including, but not limited to, fixed or moving objects, parked or moving bicycles, pedestrians, animals, surface hazards or narrow width lanes that make it unsafe to continue along the right hand edge of the roadway.

(b) Any person operating a bicycle or a moped upon a one-way road with two (2) or more marked traffic lanes may ride as near to the left side of the roadway as practicable.

(c) Persons riding bicycles upon a roadway shall not ride more than two (2) abreast except on paths or parts of roadways set aside for the exclusive use of bicycles.

(d) Wherever a usable path for bicycles has been provided adjacent to a roadway, bicycle riders shall use such path and shall not use the roadway.

Section 17. CARRYING ARTICLES. - No person operating a bicycle shall carry any package, bundle or article which prevents the driver from keeping at least one hand upon the handlebars.

Section 18. EQUIPMENTS ON BICYCLES. - (a) Every bicycle when in use at nighttime shall be equipped with a red reflector on the rear which shall be visible from all distances from at least one hundred (100) feet to the rear when directly in front of lawful lower beams of head lamps on a motor vehicle.

(b) Every bicycle shall be equipped with a brake which will enable the operator to make the braked wheels skid on dry, level, clean pavement.

(c) No person shall sell or use a bicycle or pedal for use on a bicycle that is not equipped with a reflector on each pedal of such bicycle which is visible from the front and rear of the bicycle during darkness from a distance of at least one hundred (100) feet.

Section 19. USE OF COASTERS, ROLLER SKATES AND SIMILAR DEVICES RESTRICTED. - No person upon roller skates, or riding in or by means of any coaster, toy vehicle, or similar device, shall go upon any roadway except while crossing a street at a crosswalk and except upon streets set aside as play streets.

Section 20. TRAFFIC LAWS APPLY TO PERSONS OPERATING MOTORCYCLES. - Every person operating a motorcycle shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of any other vehicle under this Code, except as to those provisions of this Code which by their nature can have no application.

Section 21. RIDING ON MOTORCYCLES. - (a) A person operating a motorcycle shall ride only upon the permanent and regular seat attached thereto, and such operator shall not carry any other person nor shall any other person ride on a motorcycle unless such motorcycle is designed to carry more than one person, in which event a passenger may ride upon the permanent and regular seat if designed for two persons, or upon another seat firmly attached to the motorcycle at the rear or side of the operator.

(b) A person shall ride upon a motorcycle only while sitting astride the seat, facing forward, with one leg on each side of the motorcycle.

(c) No person shall operate a motorcycle while carrying any package, bundle or other article which prevents him from keeping both hands on the handlebars.

(d) No operator shall carry any person, nor shall any person ride, in a position that will interfere with the operation or control of the motorcycle or the view of the operator.

Section 22. OPERATING MOTORCYCLES ON ROADWAYS LANED FOR TRAFFIC. - (a) All motorcycles are entitled to full use of a lane and no

motor vehicle shall be driven in such a manner as to deprive any motorcycle of the full use of a lane.

(b) No person shall operate a motorcycle between lanes of traffic or between adjacent lines or rows of vehicles.

(c) Subsection (b) shall not apply to police officers in the performance of their official duties.

Section 23. CLINGING TO OTHER VEHICLES. - No person riding upon a motorcycle shall attach himself or the motorcycle to any other vehicle on a roadway.

Section 24. MOTORCYCLE FOOTRESTS AND HANDLEBARS. - A motorcycle carrying a passenger, other than in a sidecar or enclosed cab, shall be equipped with a seat and footrests for such passenger.

Section 25. EQUIPMENT FOR MOTORCYCLE OPERATOR OR RIDER. - (a) No person shall operate or ride upon a motorcycle or a motorized bicycle unless wearing a helmet which complies with minimum guidelines established by law for helmets designed for use by motorcyclists and other motor vehicle users.

(b) No person shall operate a motorcycle unless he or she is wearing an eye-protective device which shall consist of protective glasses, goggles or transparent face shields which are shatter proof and impact resistant, except when the motorcycle is equipped with a windscreen which has a minimum height of ten (10) inches measured from the center of the handlebars.

(c) This Section shall not apply to persons riding within an enclosed pedicab or on a cart, nor shall it apply to any person operating or riding any industrial or cargo-type vehicle having three (3) wheels.

ARTICLE V DRIVING RULES

Section 26. RIGHT-SIDE DRIVING - Unless a different course of action is required in the interest of safety and the security of life, person or property, or because of unreasonable difficulty of operation in compliance herewith, every person operating a motor vehicle or an animal-drawn vehicle on a highway shall pass to the right when meeting persons or vehicles coming toward him/her, and to the left when overtaking persons or vehicles going the same direction, and when turning to the left in going from one highway to another, every vehicle shall be conducted to the right of the center of the intersection of the highway.

Section 27. SPEED RESTRICTIONS - (a) Any person driving a motor vehicle on a highway shall drive the same at a careful and prudent speed, not greater nor less than is reasonable and proper, having due regard for the traffic, and width of the highway, and of any other condition then and there existing;

and no person shall drive any motor vehicle upon a highway at such a speed as to endanger the life, limb and property of any person, not a speed greater than will permit him/her to bring the vehicle to a stop within the assured clear distance ahead.

(b) Subject to the provisions of the preceding paragraph, the rate of speed of any motor vehicle shall not exceed the following:

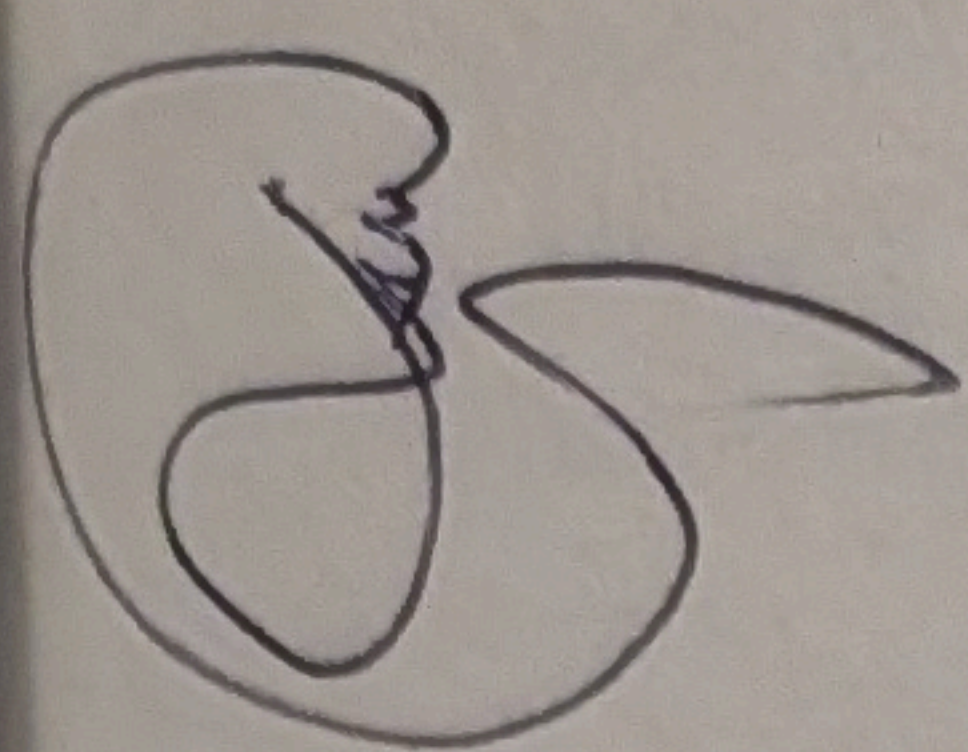
MAXIMUM ALLOWABLE SPEED	MOTORCYCLES, CARS, JEEPNEYS AND THE LIKE	TRUCKS AND BUSES
On open highways or country roads, with no "blind corners", and not closely bordered by habitation	60 KPH	50 KPH
On "thorough streets" or boulevards, clear of traffic, with no "blind corners"	50 KPH	30 KPH
On other streets with light traffic, when NOT designated as "thorough streets"	30 KPH	20 KPH
Thorough crowded streets, approaching intersections at "blind corners," passing "school zones," passing other vehicles which are stationary or for similar dangerous circumstances	20 KPH	20 KPH

Section 28. RECKLESS DRIVING. - No person shall operate a motor vehicle on any highway recklessly or without reasonable caution considering the width, traffic, grades, crossing, curvatures, visibility and other conditions of the highway and the conditions of the atmosphere and weather, or so as to endanger the property or the safety or rights of any person or so as to cause excessive or unreasonable damage to the highway.

Section 29. RIGHT OF WAY FOR POLICE AND OTHER EMERGENCY VEHICLES. - Upon the approach of any police or fire department vehicles, or of an ambulance giving audible signal, the driver of every vehicle shall immediately drive the same to a position as near as possible and parallel to the right-hand edge of the highway, clear of any intersection of highways, and shall stop and remain in such position unless directed by a peace officer, or until such vehicle shall have passed.

Section 30. EXEMPTIONS ON SPEED RESTRICTIONS. - The rates of speed heretofore prescribed shall not apply to the following:

1. Physician or his/her driver when the former responds to emergency calls;
2. Driver of a hospital ambulance on the way to and from the place of accident or other emergency;
3. Any driver bringing a wounded or sick person for emergency treatment to a hospital, clinic or any other similar place;

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4. Driver of a motor vehicle belonging to the Armed Forces of the Philippines (AFP) and/or Philippine National Police (PNP) while in use for official purpose in times of riot, insurrection, invasion and other emergency situation;
 5. Driver of a vehicle, when he/she or his/her passenger is in pursuit of a criminal;
 6. Law-enforcement officer who is trying to overtake a violator of traffic laws; and
 7. A driver officially operating a motor vehicle of any fire department, provided that these exemptions shall not be construed to allow useless or unnecessary fast driving of drivers aforementioned.

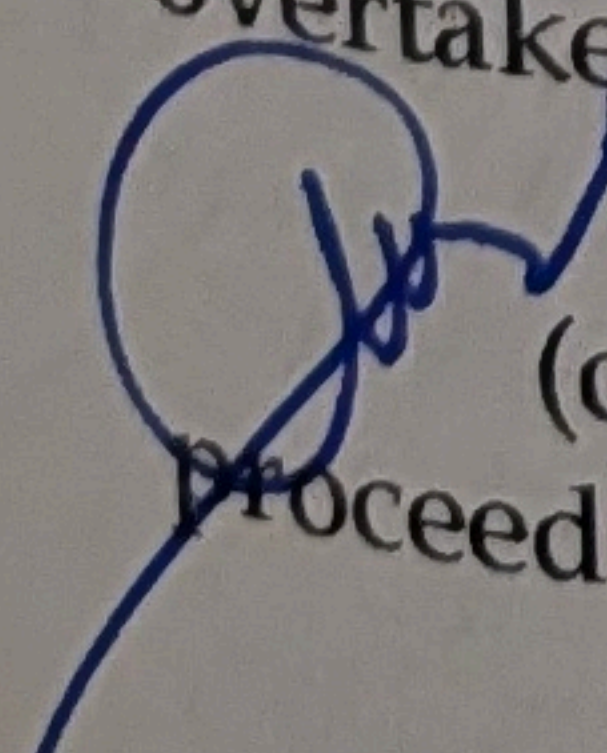
Section 31. OVERTAKING OF VEHICLES. - The driver of any motor vehicle overtaking another vehicle proceeding in the same direction shall pass at a safe distance to the left thereof, and shall not again drive to the right side of the highway until safety clear of such overtaken vehicle, except that, on highway, within a business or residential district, having two (2) or more lanes for the movement of traffic in one (1) direction, the driver of a vehicle may overtake and pass another vehicle on the right. Nothing in this Article shall be construed to prohibit a driver overtaking and passing upon the right of other vehicle which is making or about to make a left turn.

Section 32. GIVING WAY TO OVERTAKING VEHICLE. - The driver of a vehicle about to be overtaken by another vehicle approaching from the rear shall give way to the overtaking vehicle on suitable and audible signal being given by the driver of the overtaking vehicle, and shall not increase the speed of his/her vehicle until completely passed by the overtaking vehicle.

Section 33. RESTRICTIONS ON OVERTAKING AND PASSING. -
(a) The driver of a vehicle shall not drive to the left side of the center line of a highway in overtaking or passing another vehicle proceeding in the same direction, unless such left side is clearly visible and is free of oncoming traffic for a sufficient distance ahead to permit such overtaking or passing to be made in safety.

(b) The driver of a vehicle shall not overtake or pass another vehicle proceeding in the same direction, when approaching the crest of a grade, or upon a curve in the highway, where the driver's view along the highway is obstructed within a distance of five hundred (500) feet ahead, except on a highway or road having two (2) or more lanes for movement of traffic in one direction where the driver of a vehicle may overtake or pass another vehicle: *Provided*, That on a highway or road, within a business or residential district, having two (2) or more lanes for movement of traffic in one direction, the driver of a vehicle may overtake or pass another vehicle on the right.

(c) The driver of a vehicle shall not overtake or pass any other vehicle proceeding in the same direction, at any railway grade crossing nor at any



intersection of highways, unless such intersection crossing is controlled by traffic signal, or unless permitted to do so by a watchman or a peace officer, except on a highway having two (2) or more lanes for movement of traffic in one direction where the driver of a vehicle may overtake or pass another vehicle on the right.

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

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

Section 34. OVERTAKING AND PASSING SCHOOL BUS OR VEHICLE. - (a) The driver of a vehicle meeting or overtaking from either direction any school bus or vehicle stopped on the highway shall stop before reaching such school bus or vehicle when there is in operation on the school bus or vehicle the flashing red lights, and the driver shall not proceed until such school bus or vehicle resumes motion or the flashing red lights and the stop signal arm are no longer actuated.

(b) A school bus or vehicle driver shall not actuate the special visual signals:

1. At intersections or other places where traffic is controlled by traffic-control signals or police officers; or
2. In designated school bus or vehicle loading areas where the bus is entirely off the roadway.

(c) The driver of a vehicle upon a highway with separate roadways need not stop upon meeting or passing a school bus or vehicle which is on a different roadway or when upon a controlled-access highway and the school bus or vehicle is stopped in a loading zone which is a part of or adjacent to such highway, and where pedestrians are not permitted to cross the roadway.

Section 35. OVERTAKING AND PASSING CHURCH BUS OR DAY CARE PROGRAM BUS. - (a) The driver of a vehicle meeting or overtaking from either direction any church bus or day care program bus stopped on the highway shall stop before reaching such church bus or day care program bus when there is in operation on said church bus or day care program bus the flashing red lights specified in this Code, and said driver shall not proceed until such church bus or day care program bus resumes motion or said driver is signaled by the church bus or day care program bus driver to proceed or the flashing red lights and stop signal arm, if any, are no longer actuated.

(b) If a church bus or day care program bus is equipped with visual signals, such signals may be actuated by the driver of said church bus or day

care program bus only when such vehicle is stopped on the highway for the purpose of receiving or discharging passengers.

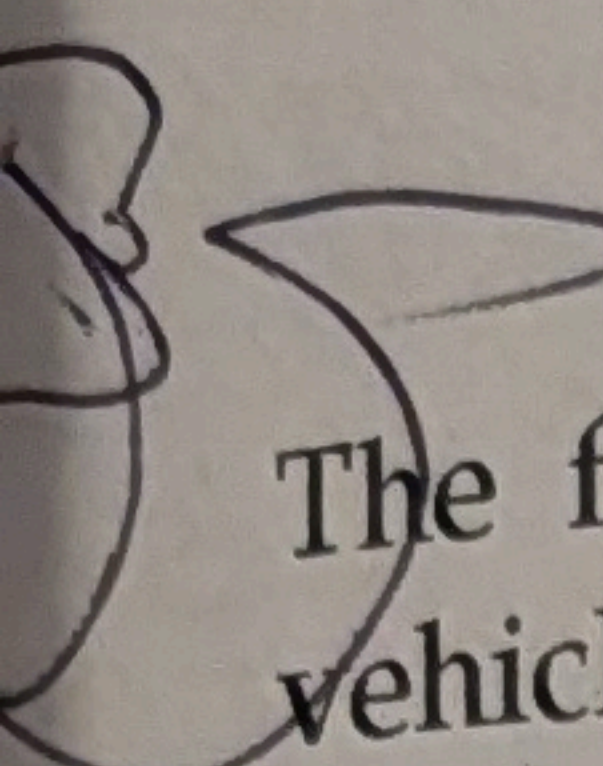
Section 36. RIGHT OF WAY. - The following rules shall be observed in yielding the right of way:

1. When two vehicles approach or enter an intersection at the same time, the driver of the vehicle on the left shall yield the right of way to the vehicle on the right, except as otherwise provided herein. The driver of any vehicle traveling at an unlawful speed shall forfeit any right of way which he/she might otherwise have under the provisions hereof.
2. The driver of a vehicle approaching but not having entered an intersection, shall yield the right of way to a vehicle within such intersection of turning therein to the left across the line of travel of such first mentioned vehicle, provided the driver of the vehicle turning left has given a plainly visible signal of intention to turn as required herein.
3. The driver of any vehicle upon a highway within a business or residential district shall yield the right of way to a pedestrian crossing such highway within a crosswalk, except in an intersection where the movement of traffic is being regulated by a traffic officer or by traffic signal. Every pedestrian crossing a highway within a business or residential district, at any point other than a cross walk, shall yield the right of way to vehicles upon the highway.
4. The driver of a vehicle upon a highway shall bring to full stop such vehicle before traversing any "thorough street" or railroad crossing: Provided, that when it is apparent that no hazard exists, the vehicle may be slowed down to ten (10) kilometers per hour instead of bringing it to a full stop.

Section 37. EXEMPTION TO THE RIGHT OF WAY RULES. - (a) The driver of a vehicle entering a highway from a private road or driveway shall yield the right of way to all vehicles approaching on such highway.

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

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

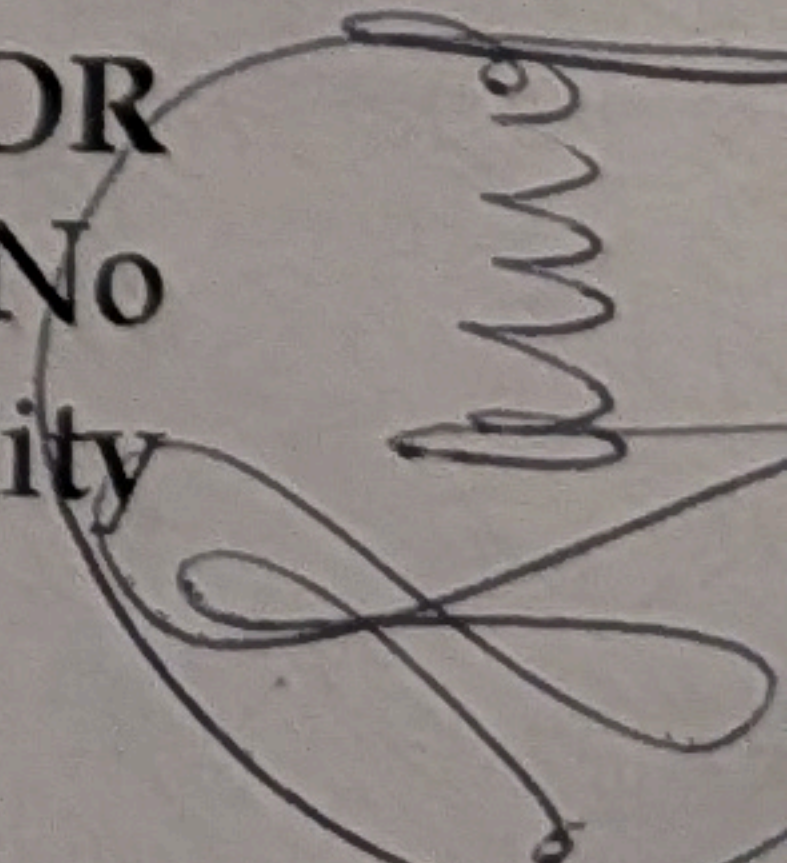
 **Section 38. SIGNAL ON STARTING, STOPPING OR TURNING.** - The following rules shall be observed before starting, stopping or turning a vehicle:

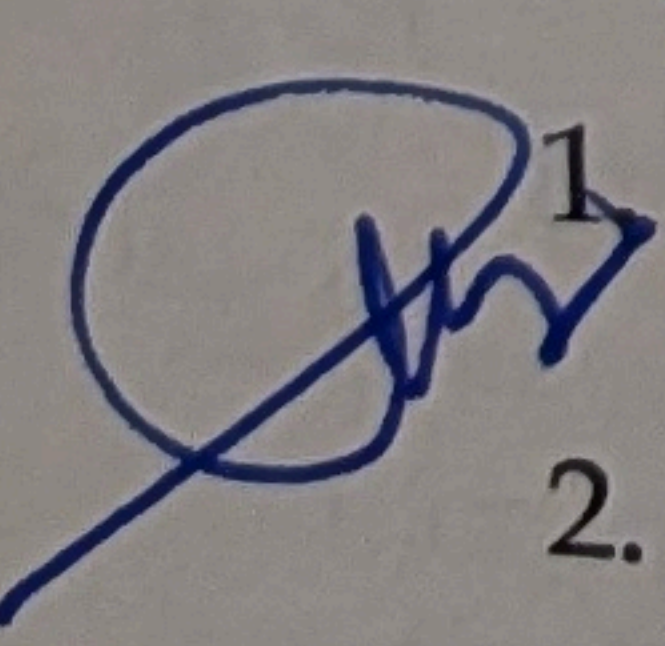
1. The driver of any vehicle upon a highway, before starting, stopping or turning from a direct line, shall, first see that such movement can be made in safety, and if any pedestrian may be affected by such movement, shall give a clearly audible by sounding the horn, and whenever the operation of any other vehicle approaching on following may be affected by such movement, shall give a signal plainly visible to the driver of such other vehicles of the intention to make such movement.
2. The signal herein required shall be given by means of extending the hand and arm beyond the left side of the vehicle, or by any approved mechanical or electrical signal device.

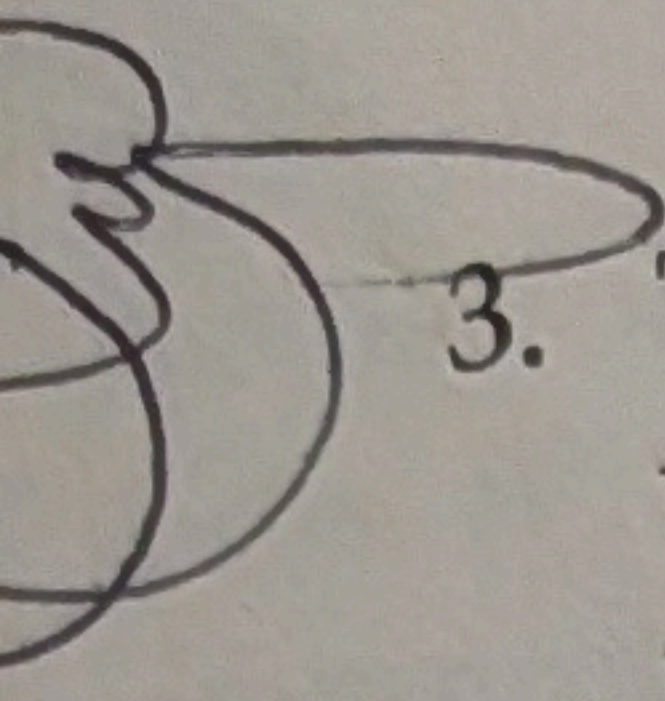
Section 39. TURNING AT INTERSECTIONS. - The following rules shall be observed when turning at intersections:

1. The driver of a vehicle intending to run to the right at an intersection shall approach such intersection in the lane for traffic nearest to the right-hand side of the highway and, in turning shall keep as close as possible to the right-hand curve or edge of the highway.
2. The driver of a vehicle intending to turn to the left shall approach such intersection in the lane for the traffic to the right of and nearest to the center of line of the highway, and in turning, shall pass to the left of the center of the intersection, except that, upon highways lanes for traffic and upon one-way streets, a left turn shall be made from the left lane of traffic in the direction which the vehicle is proceeding.
3. For the purpose of this Section, the center of the intersection shall mean the meeting of the medial lines of the highways intersection one another, except when it is occupied by a monument, grass plot or any permanent structure, other than a traffic control device.

Section 40. DRIVING WHILE DRINKING INTOXICANTS OR UNDER THE INFLUENCE OF LIQUOR OR DRUGS; PENALTIES. - (a) No person shall operate or attempt to operate any vehicle within this Municipality while:



- 
1. Drinking intoxicants;
 2. The alcohol concentration in the person's blood or breath as shown by any competent evidence, including other competent evidence, is 0.08 or more;

- 
3. The alcohol concentration in the person's blood or breath, as measured within two (2) hours of the time of operating or attempting to operate a vehicle, is 0.08 or more;
 4. Under the influence of alcohol to a degree that renders the person incapable of safely driving a vehicle;
 5. Under the influence of any drug or combination of drugs to a degree that renders the person incapable of safely driving a vehicle; or
 6. Under the influence of a combination of alcohol and any drug or drugs to a degree that renders the person incapable of safely driving a vehicle.

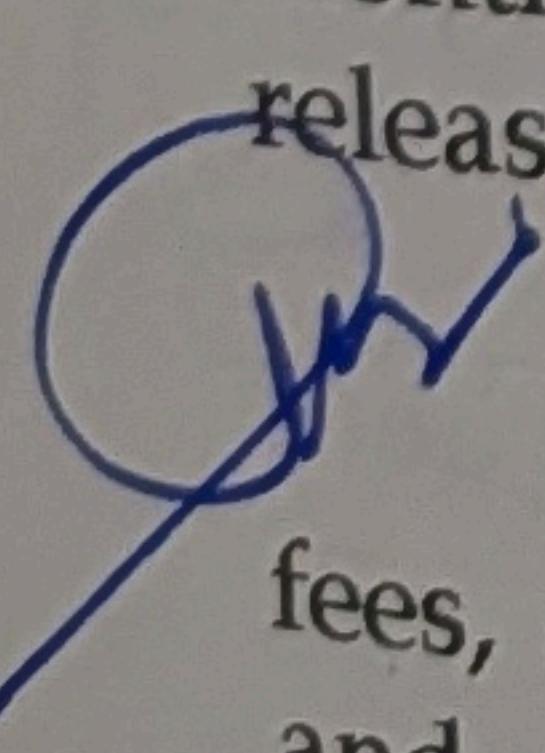
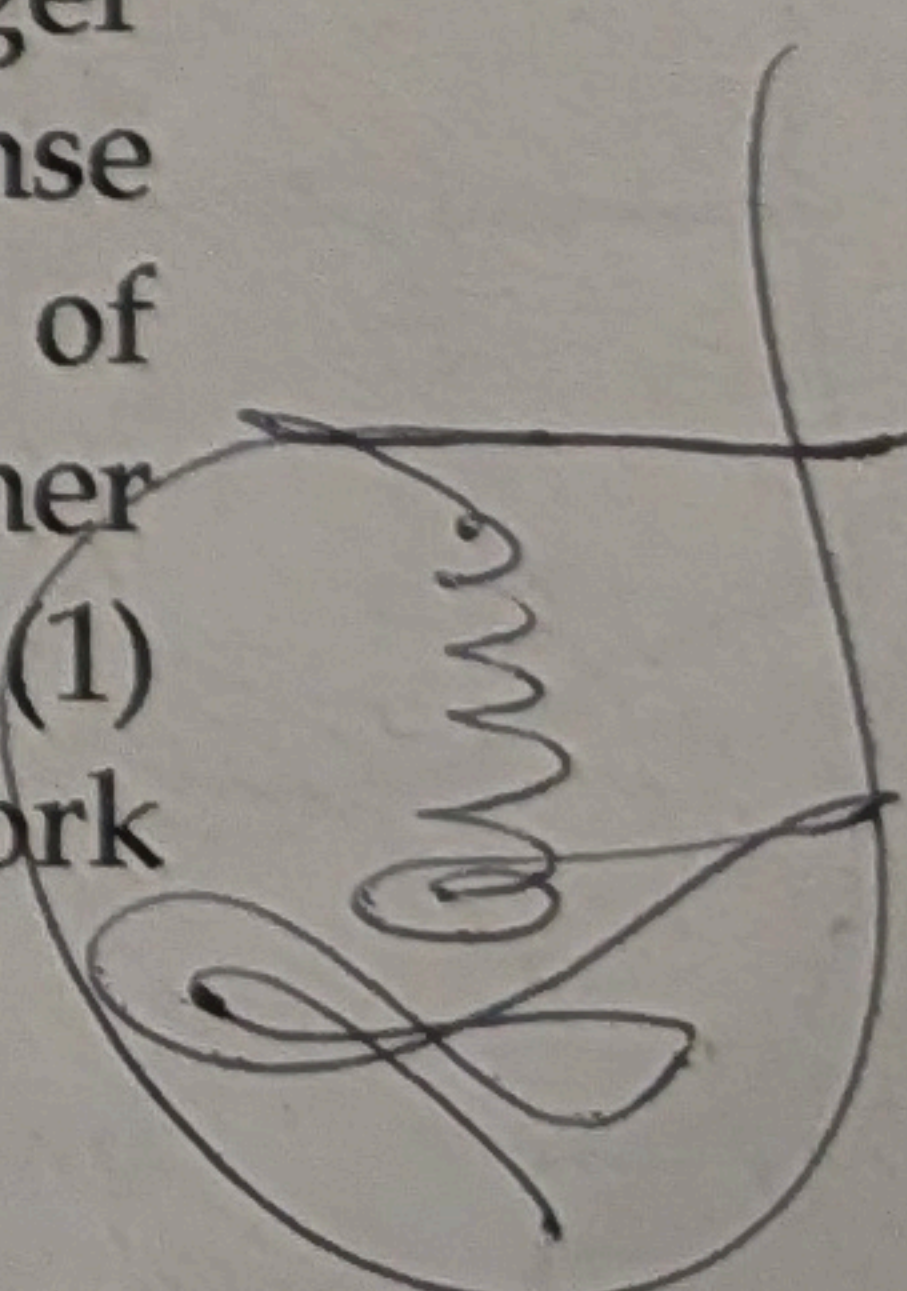
(b) No person shall operate or attempt to operate any vehicle within this Municipality if the person is a habitual user of any narcotic, hypnotic, somnifacient or stimulating drug.

(c) If a person is charged with a violation of this Section involving drugs, the fact that the person is or has been entitled to use the drug under the laws of the Republic shall not constitute a defense against the charge.

(d) Upon conviction of a violation of this Section, a person shall be sentenced to six (6) months' imprisonment or in the court's discretion one hundred (100) hours of community service, and fined not less than Two Thousand Pesos (PhP 2,000.00).

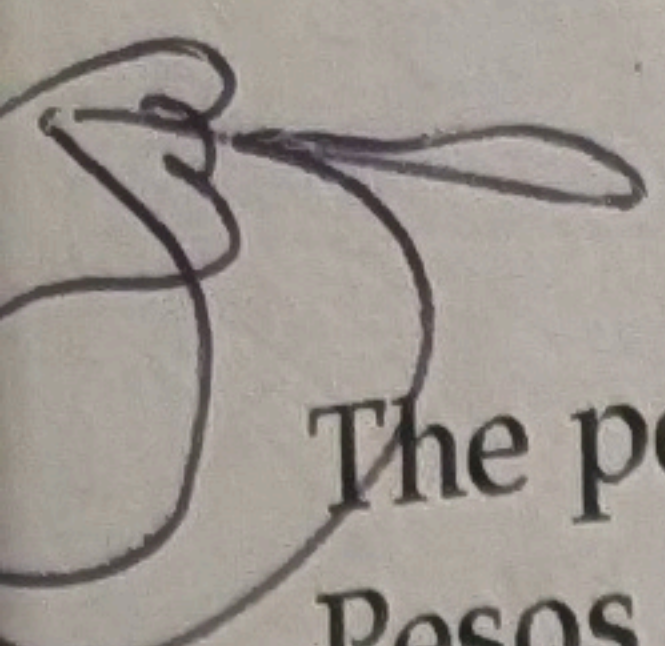
(e) The person convicted must serve at least two (2) months or one hundred (100) hours of community service either before or as a condition of any grant of probation or suspension, reduction of sentence or parole. In addition, the court shall enter an order which requires that the person enroll in and successfully complete an alcohol and drug safety action education program or treatment program.

(f) Any person convicted of violating this Section who had a passenger under the age of below eighteen (18) years in the vehicle at the time of the offense shall have such person's punishment enhanced by one (1) month of imprisonment. This imprisonment must be served consecutively to any other imprisonment imposed for a violation of this Section. During the service of the one (1) month enhanced penalty, the judge may order the person on house arrest, work release or other conditional release.



(g) The court may establish the terms and time for payment of any fines, fees, assessments and costs imposed pursuant to this Section. Any assessment and costs shall be required to be paid not later than ninety (90) days after imposition, and any remainder of the fine shall be paid prior to the final release of the defendant by the court.

(h) In lieu of payment of a fine imposed pursuant to this Section, the court may order that the person perform community service specified by the court.

 The person shall receive a credit on the fine imposed in an amount equal to Fifty Pesos (PhP 50.00) for each full hour spent by the person in the specified community service. If by the required date the person performs an insufficient amount of community service to reduce to zero (0) the portion of the fine required to be paid by the person, the remaining balance of the fine shall become due on that date.

(i) In addition to any other penalty which may be imposed upon a person convicted of a violation of this Section, the court may order that the convicted person's motor vehicle or vehicles be impounded or immobilized for a period not to exceed one (1) year and that the convicted person pay all towing, impoundment, and storage fees or other immobilization costs.

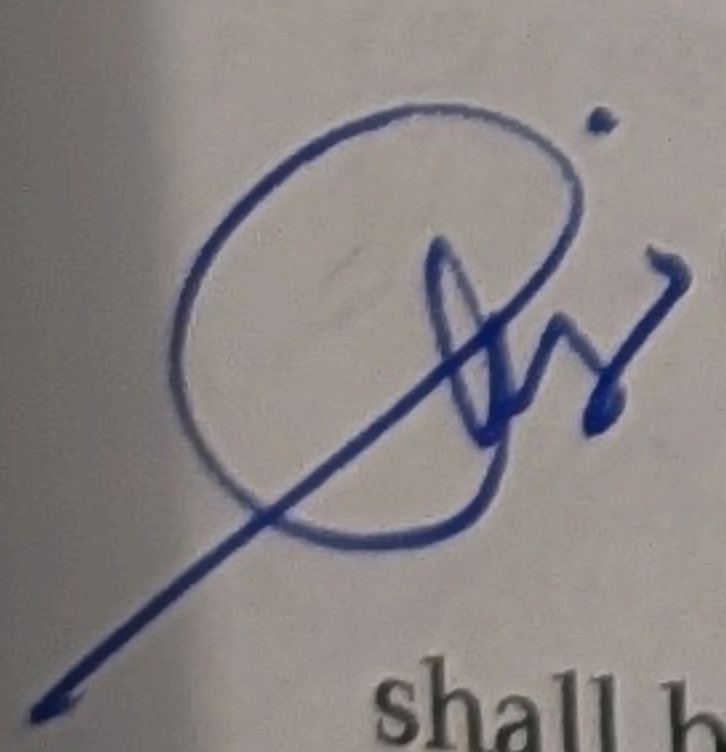
Section 41. DUTY OF DRIVER IN CASE OF ACCIDENT. - (a) In the event that any accident should occur as a result of the operation of a motor vehicle upon a highway, the driver of that vehicle shall stop immediately, and, if requested by any person present, shall show his/her driver's license, give his/her true name and address and also the true name and address of the owner of the motor vehicle.

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

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

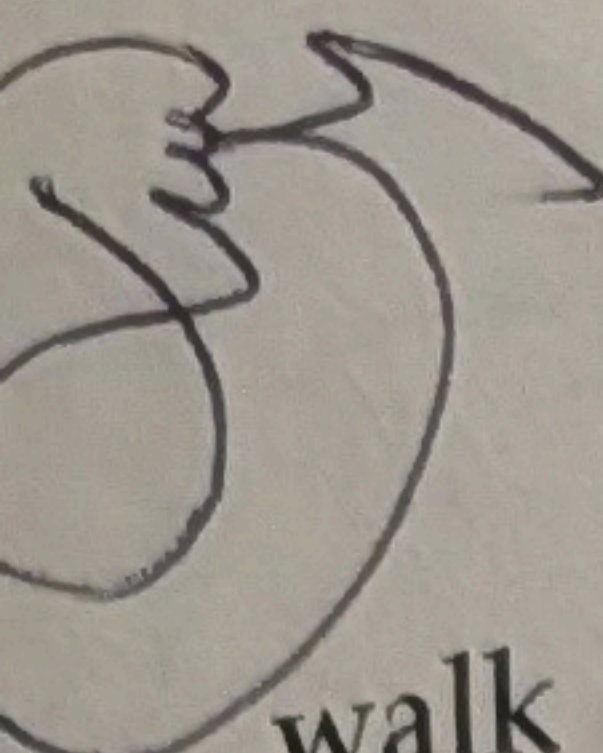
ARTICLE VI PEDESTRIANS

Section 42. PEDESTRIANS; OBEDIENCE TO TRAFFIC-CONTROL DEVICES AND TRAFFIC REGULATIONS. - (a) A pedestrian shall obey the instructions of any official traffic-control device specifically applicable to him/her, unless otherwise directed by a police officer.

 (b) Pedestrians shall be subject to traffic and pedestrian control signals.

(c) At all other places pedestrians shall be accorded the privileges and shall be subject to the restrictions stated in this Code.

Section 43. PEDESTRIANS' RIGHT-OF-WAY IN CROSSWALKS; CONTROL SIGNALS. - (a) When traffic-control signals are not in place or not in operation the driver of a vehicle shall yield the right-of-way, slowing down or stopping if need be to so yield, to a pedestrian entering or crossing the roadway within a crosswalk.



(b) No pedestrian shall suddenly leave a curb or other place of safety and walk or run into the path of a vehicle which is so close as to constitute an immediate hazard.

(c) Whenever any vehicle is stopped at a marked crosswalk or at any unmarked crosswalk at an intersection to permit a pedestrian to cross the roadway, the driver of any other vehicle approaching from the rear shall not overtake and pass such stopped vehicle

Section 44. SCHOOL CROSSING GUARD; DISOBEYING. - No person shall willfully fail or refuse to comply with any lawful order or direction of any uniformed school crossing guard invested with authority to direct, control, or regulate traffic.

Section 45. CROSSING AT OTHER THAN CROSSWALKS; JAYWALKING. - (a) Every pedestrian crossing a roadway at any point other than within a marked crosswalk or within an unmarked crosswalk at an intersection shall yield the right-of-way to all vehicles upon the roadway.

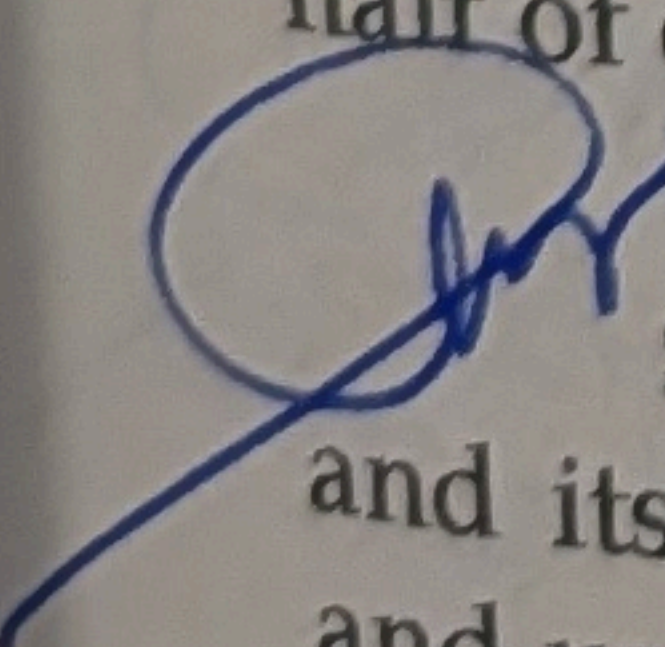
(b) Any pedestrian crossing a roadway at a point where a pedestrian tunnel or overhead pedestrian crossing has been provided shall yield the right-of-way to all vehicles upon the roadway.

(c) Between adjacent intersections at which traffic-control signals are in operation pedestrians shall not cross at any place except in a marked crosswalk.

(d) No pedestrian shall cross a roadway intersection diagonally unless authorized by official traffic-control devices; and, when authorized to cross diagonally, pedestrians shall cross only in accordance with the official traffic-control devices pertaining to such crossing movements.

Section 46. DRIVERS TO EXERCISE DUE CARE. - Every driver of a vehicle shall exercise due care to avoid colliding with any pedestrian, and shall give warning by sounding the horn when necessary, and shall exercise proper precaution upon observing any child or any obviously confused or incapacitated person.

Section 47. PEDESTRIANS TO USE RIGHT HALF OF CROSSWALKS. - Pedestrians shall move, whenever practicable upon the right half of crosswalks.



Section 48. USE OF SIDEWALKS. - (a) Where a sidewalk is provided and its use is practicable it shall be unlawful for any pedestrian to walk along and upon an adjacent roadway.

(b) Where a sidewalk is not available, any pedestrian walking along and upon a highway shall walk only on a shoulder, as far as practicable from the edge of the roadway.

3 (c) Where neither a sidewalk nor a shoulder is available, any pedestrian walking along and upon a highway shall walk as near as practicable to the outside edge of the roadway, and, if on a two-way roadway, shall walk only on the left side of the roadway.

(d) Except as otherwise provided in this Article, any pedestrian upon a roadway shall yield the right-of-way to all vehicles upon the roadway.

Section 49. PEDESTRIANS SOLICITING RIDES OR BUSINESS. - (a) No person shall stand upon or along a street or highway for the purpose of soliciting a ride.

(b) No person shall stand on a highway for the purpose of soliciting employment, business or contributions from the occupant of any vehicle.

(c) No person shall stand on or in proximity to a street or highway for the purpose of soliciting the watching or guarding of any vehicle while parked or about to be parked on a street or highway.

Section 50. DRIVING THROUGH SAFETY ZONE PROHIBITED. - No vehicle shall at any time be driven through or within a safety zone.

Section 51. PEDESTRIANS RIGHT-OF-WAY ON SIDEWALKS. - The driver of a vehicle shall yield the right-of-way to any pedestrian on a sidewalk.

Section 52. PEDESTRIANS YIELD TO AUTHORIZED EMERGENCY VEHICLES. - (a) Upon the immediate approach of an authorized emergency vehicle making use of an audible and visual signals, or of a police vehicle properly and lawfully making use of an audible signal only, every pedestrian shall yield the right-of-way to the authorized emergency vehicle.

(b) This Section shall not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons using the highway nor from the duty to exercise due care to avoid colliding with any pedestrian.

Section 53. PEDESTRIAN WITH DISABILITIES RIGHT-OF-WAY. - The driver of a vehicle shall yield the right-of-way to any pedestrian with disabilities carrying a clearly visible cane or accompanied by a guide.

3 **Section 54. PEDESTRIAN UNDER INFLUENCE OF ALCOHOL OR DRUGS.** - A pedestrian who is under the influence of alcohol or any drug to a degree which renders such pedestrian a hazard shall not walk or be upon a highway except on a sidewalk.

Section 55. TRAFFIC CONTROL SIGNALS. - (a) A traffic control signal displaying green, red, and yellow lights or lighted arrows applies to a pedestrian as provided by this Section unless the pedestrian is otherwise directed by a special pedestrian control signal.

(b) A pedestrian facing a green signal may proceed across a roadway within a marked or unmarked crosswalk unless the sole green signal is a turn arrow.

(c) A pedestrian facing a steady red signal alone or a steady yellow signal may not enter a roadway.

Section 56. PEDESTRIAN RIGHT-OF-WAY IF CONTROL SIGNAL IS PRESENT. - (a) A pedestrian control signal displaying "Walk," "Don't Walk," or "Wait" applies to a pedestrian as provided by this Section.

(b) A pedestrian facing a "Walk" signal may proceed across a roadway in the direction of the signal, and the operator of a vehicle shall yield the right-of-way to the pedestrian.

(c) A pedestrian may not start to cross a roadway in the direction of a "Don't Walk" signal or a "Wait" signal. A pedestrian who has partially crossed while the "Walk" signal is displayed shall proceed to a sidewalk or safety island while the "Don't Walk" signal or "Wait" signal is being displayed.

Section 57. PEDESTRIAN RIGHT-OF-WAY AT CROSSWALK. - (a) The operator of a vehicle shall yield the right-of-way to a pedestrian crossing a roadway in a crosswalk if:

1. No traffic control signal is in place or in operation; and
2. The pedestrian is:
 - a. on the half of the roadway in which the vehicle is traveling; or
 - b. approaching so closely from the opposite half of the roadway as to be in danger.

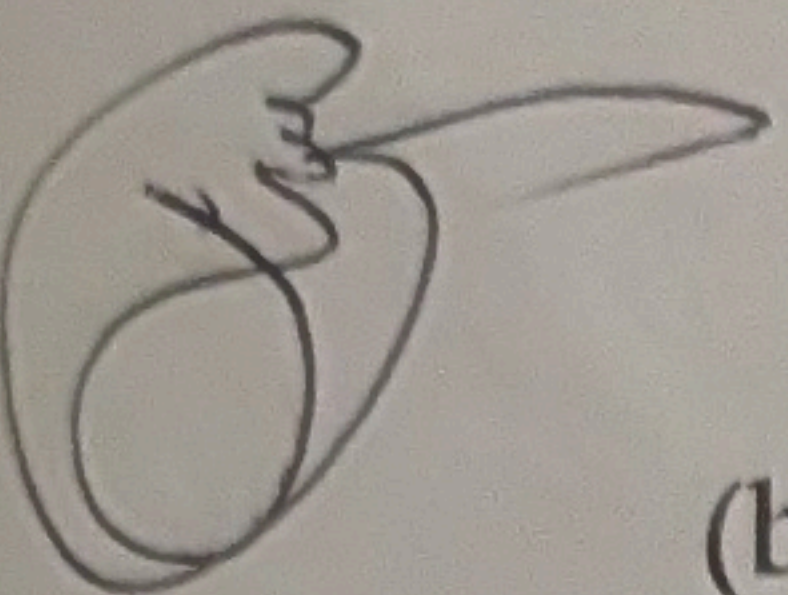
(b) Notwithstanding subsection (a) hereof, a pedestrian may not suddenly leave a curb or other place of safety and proceed into a crosswalk in the path of a vehicle so close that it is impossible for the vehicle operator to yield.

(c) The operator of a vehicle approaching from the rear of a vehicle that is stopped at a crosswalk to permit a pedestrian to cross a roadway may not pass the stopped vehicle.

Section 58. CROSSING AT POINT OTHER THAN CROSSWALK. -

(a) A pedestrian shall yield the right-of-way to a vehicle on the highway if crossing a roadway at a place:

1. Other than in a marked crosswalk or in an unmarked crosswalk at an intersection; or
2. Where a pedestrian tunnel or overhead pedestrian crossing has been provided.



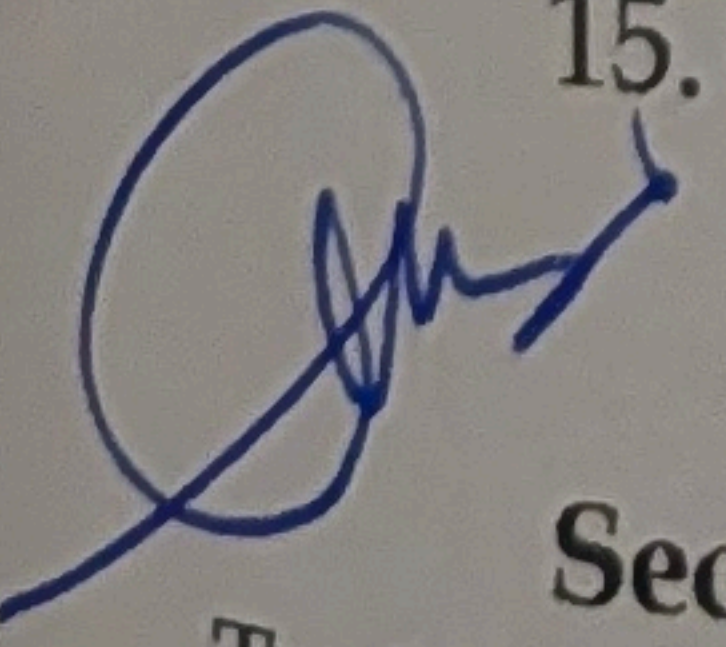
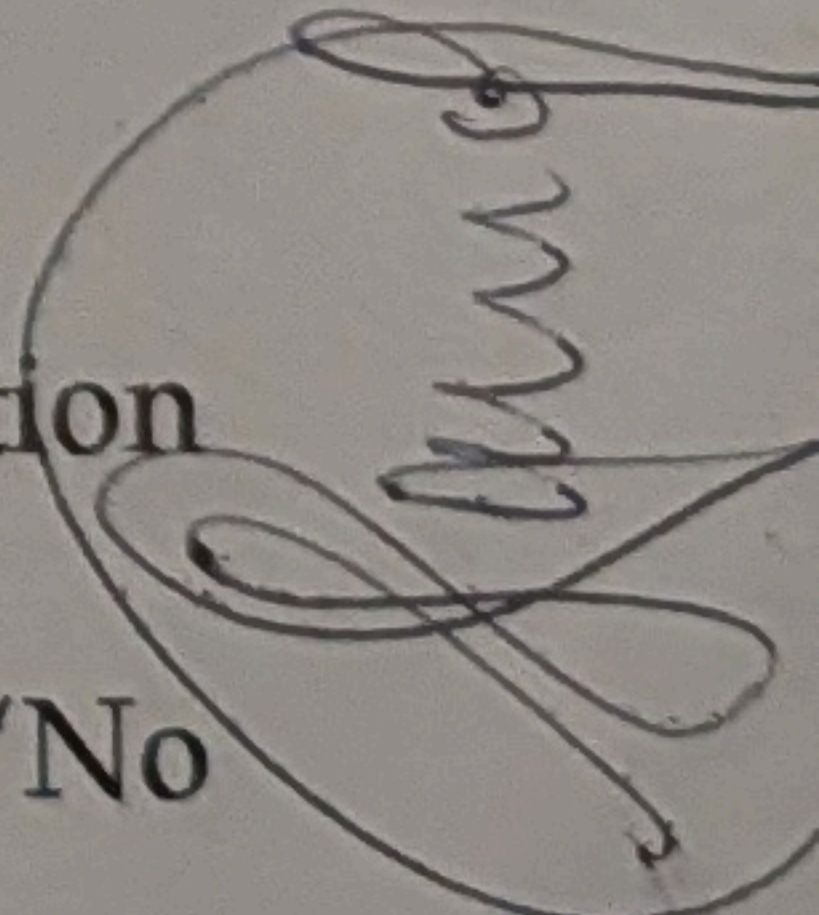
(b) Between adjacent intersections at which traffic control signals are in operation, a pedestrian may cross only in a marked crosswalk.

(c) A pedestrian may cross a roadway intersection diagonally only if and in the manner authorized by a traffic control device.

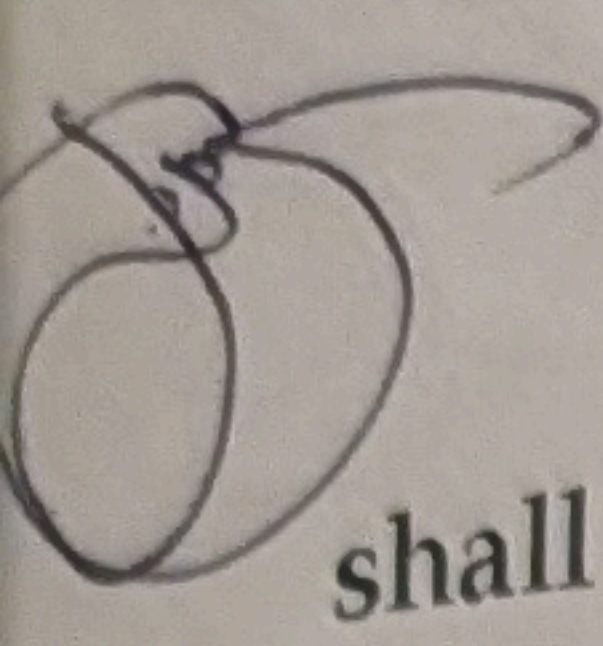
Section 59. HITCHING TO A VEHICLE. - No person shall hang on to, or ride on, the outside rear of any vehicle, and no person on a bicycle, roller skate or other similar device, shall hold fast to or hitch on to any moving vehicle, and no driver shall knowingly permit any person to hang on, to ride on, the outside or rear end of his/her vehicle or allow any person on a bicycle, roller or other similar device to hold fast or hitch to his/her vehicle.

ARTICLE VII PARKING

Section 60. PROHIBITED PARKING. - No driver shall park a vehicle or permit it to stand, whether attended or unattended, upon a highway in any of the following places:

1. Within an intersection;
 2. On a crosswalk or pedestrian lane;
 3. Within six (6) meters of the intersection of curb lines;
 4. Within six (6) meters from the edge of a roadway and nearest to a public entrance to a hotel, theater or public hall while open to the public;
 5. Within four (4) meters of the driveway entrance to any fire station;
 6. Within four (4) meters of a fire hydrant;
 7. In front of a private driveway;
 8. On the roadway side of any vehicle stopped or parked at the curb or edge of the highway;
 9. At any place where official signs have been erected or installed prohibiting parking;
 10. Within four (4) meters of the driveway to any hospital;
 11. Opposite a parked vehicle (double parking);
 12. On the bridge or within fifty (50) meters from the foot of bridge, over or under or across the highway;
 13. Within ten (10) meters of the nearest rail or railway crossing;
 14. On a highway in such a manner as to obstruct, or cause the obstruction of, the smooth flow of traffic; or
 15. On other places which are officially designated by the BTMO as a "No Parking Area".
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Section 61. DESIGNATED "NO PARKING" AREAS. - The Bustos Traffic Management Office (BTMO) shall, by means of a resolution, designate other "No Parking" areas for all kinds of motor vehicles including motorized tricycles.

 **Section 62. DRIVING OR PARKING ON SIDEWALK.** - No person shall drive or park a motor vehicle upon or along any sidewalk, path or alley not intended for vehicular traffic or parking.

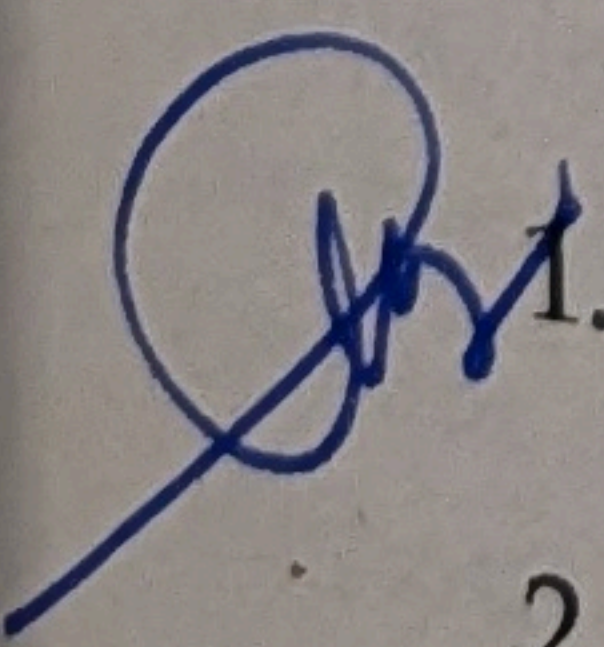
Section 63. ALLOWABLE TEMPORARY PARKING. - Stopping a motor vehicle temporarily shall not be considered as parking which is prohibited in this Code under the following circumstances:

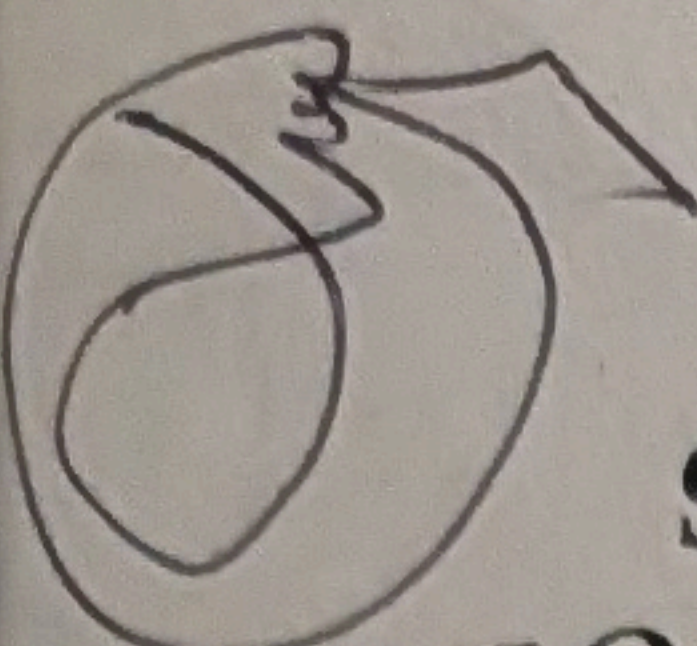
1. If the driver merely stops his/her vehicle temporarily in order to buy something from a nearby store, provided, that it shall not last for more than one (1) minute;
2. If the driver is merely loading or unloading a passenger or cargo in places where it is allowed;
3. When the motor vehicle suffered an engine breakdown; and
4. When the driver is making a minor repair or changing a flat tire

Section 64. OBSTRUCTION TO TRAFFIC FLOW - No driver of a motor vehicle shall perform any act of obstructing the smooth flow of traffic, including but not limited to the following:

1. Loading or unloading of passengers or cargoes in places not allowed for that purpose;
2. Parking a vehicle diagonally on the side of a roadway;
3. Driving so slowly in the wrong lane, in cases where the road has two or more lanes;
4. Making repair or changing a flat tire in the middle of a roadway;
5. Leaving a motor vehicle unattended in the middle of the road or any portion thereof which causes obstruction to the smooth flow of traffic; and
6. Other unnecessary acts which may cause obstruction to the flow of traffic.

Section 65. DESIGNATED "NO LOADING - NO UNLOADING" AREAS. - It shall be declared a "no-loading and no-unloading zone" on the following:

-  1. Twenty (20) meters from any road intersection; and
2. In front of a gate or entry way of any public or private building, hospital, schools, and public markets.



Section 66. DESIGNATION OF OTHER "NO LOADING AND UNLOADING AREAS." - The Bustos Traffic Management Office (BTMO) shall designate other "No Loading and Unloading" areas for all kinds of motor vehicles including motorized tricycles.

**ARTICLE VIII
PUBLIC ROADS**

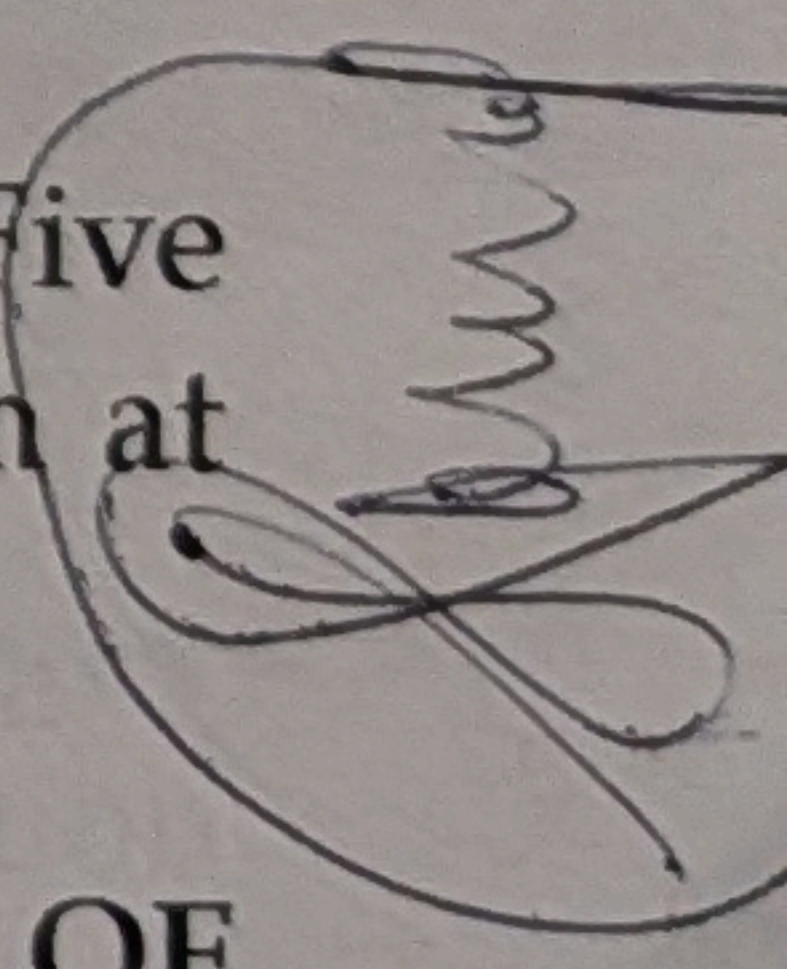
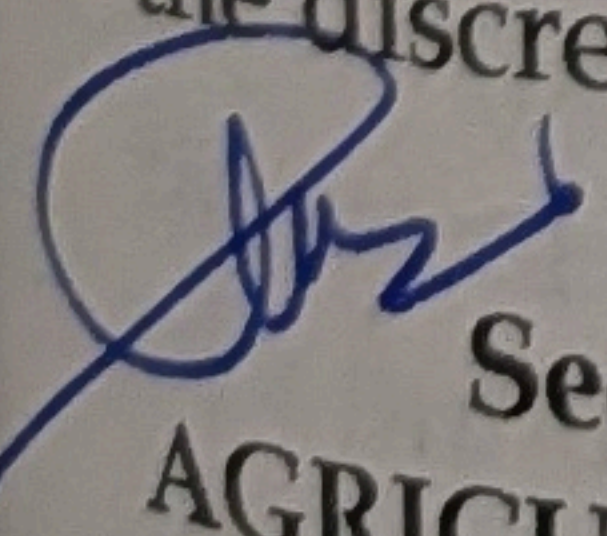
Section 67. COVERAGE. - For the purpose of this Article:

1. Public roads shall cover national, provincial, municipal and barangay roads as declared by the BTMO within the territorial jurisdiction of the Municipality of Bustos, Bulacan.
2. Alleys shall cover all narrow streets, passageways and byways, as declared by the BTMO within the territorial jurisdiction of the Municipality of Bustos, Bulacan.
3. Lanes shall cover all narrow pathways or byways, as declared by the BTMO within the territorial jurisdiction of the Municipality of Bustos, Bulacan.

Section 68. USE OF SIDEWALKS AND ALLEYS FOR CONSTRUCTION WORKS. - (a) Use of sidewalks and alleys for construction shall be governed by the following:

1. No person shall use any sidewalk or alley or portion thereof, which is owned by the Municipality in connection with any construction works or other allowable purposes, without first securing a permit from the Office of the Municipal Mayor and paying the corresponding fee imposed under existing ordinances.
2. The period of use and/or occupancy of sidewalk or alley or portion shall commence from the time the permit is issued and shall terminate upon the completion of the construction work, other allowed activities or upon cancellation of the permit therefor.

(b) Any person who violates this provision shall be imposed a fine of Five Hundred Pesos (PhP 500.00), or imprisonment of fourteen (14) days or both at the discretion of the court.



Section 69. USE OF PUBLIC ROADS FOR DRYING OF AGRICULTURAL PRODUCTS. - No person shall use any portion of any public roads, inclusive of all national, provincial, municipal and barangay roads within the territorial jurisdiction of the Municipality, for the drying of whatever kind of cereals, *buri* palms or other agricultural products or for other similar purposes without written permission from the BTMO. Any person who violates this provision shall be imposed a fine of Two Hundred Fifty Pesos (PhP 250.00), or imprisonment of five (5) days or both at the discretion of the court.

Section 70. CONSTRUCTION OF HUMPS OR PLACING PROTUBERANCE ON PUBLIC ROADS. - (a) No person, natural or juridical, shall construct or cause the construction of any kind of humps, or place any kind of protuberance, on any public road without first securing a permit from the Bustos Traffic Management Office (BTMO) unless allowed by the National Government.

(b) For the purpose, the following provisions shall apply:

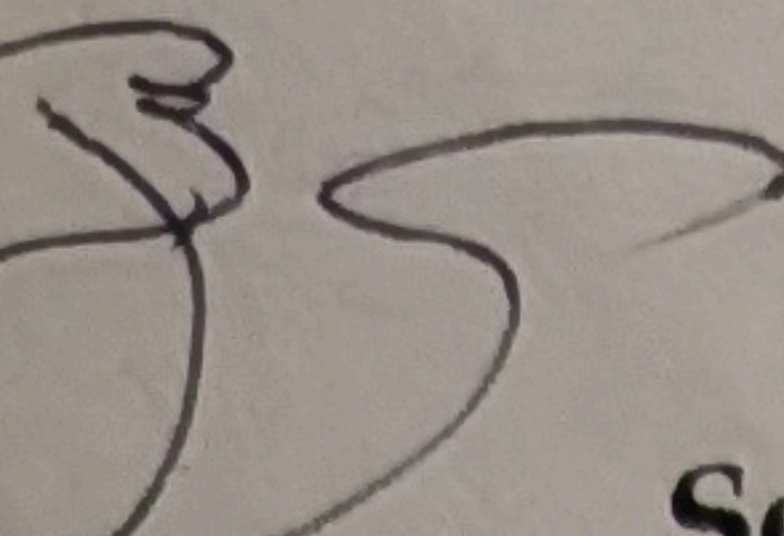
1. Any person, natural or juridical desiring to construct humps or place any kind of protuberance on any public road shall file an application for that purpose with the BTMO.
2. Upon receipt of the said application, the BTMO shall coordinate with the concerned office regarding the application.
3. No permit by the BTMO on this matter shall be issued without approval of the barangay government concerned and recommendation from concerned offices stating therein the facts that the construction of hump or other kind of protuberance in a particular public road will not obstruct the smooth flow of traffic, destruction of properties or products and will not pose hazard to pedestrians.
4. In this connection, it shall be the duty of the concerned office to determine the appropriate specification as to the thickness, width and length of the hump or protuberance to be placed or constructed.

(c) Any person who violates this provision shall be imposed a fine of Five Hundred Pesos (PhP 500.00), or imprisonment of fourteen (14) days or both at the discretion of the court.

Section 71. INSTALLATION OF GAMING CONTRIVANCE IN PUBLIC ROADS. - (a) No person shall install or cause the installation of any kind of basketball board or place any kind of gaming tables or nets and similar kinds of gaming equipment or device on any public road or use the public road as a playing field for any kind of games. For this purpose, all national, provincial, municipal or barangay roads within the territorial jurisdiction of the Municipality of Bustos, Bulacan shall be deemed covered herein.

(b) This provision, however, shall not apply during town fiestas, barangay fiestas or wake for a deceased person where a temporary permit to use a portion of a municipal or barangay road has been secured from the BTMO: *Provided, That* in the case of gaming tables, gaming equipment or contrivance, it shall only be used for games of skill and subject to the provisions of existing laws, ordinances, or rules and regulations on that matter.

(c) Any person who violates this provision shall be imposed a fine of Five Hundred Pesos (PhP 500.00), or imprisonment of fourteen (14) days or both at the discretion of the court.

 **Section 72. HAWKING AND PEDDLING BAN ON PUBLIC ROADS, ALLEYS AND LANES.** - No person shall hawk or peddle any goods, wares or any articles of commerce in any public road or alley or portion thereof, without securing a permit from the BTMO. Any person who violates this provision shall be imposed a fine of Two Hundred Pesos (PhP 200.00), or imprisonment of seven (7) days or both at the discretion of the court.

Section 73. EXEMPTIONS IN HAWKING AND PEDDLING ON PUBLIC ROADS. - During special occasions, the BTMO may grant a permit for the temporary use of public roads, alleys and lanes for hawkers and peddlers. The permit to be issued during special occasions shall be subject to the following conditions or requirements:

1. The hawking or peddling activity shall not impair or damage any private or public property, cause injury to or adversely affect the rights of other persons.
2. The hawking or peddling activity shall not obstruct or cause obstruction to the ordinary flow of traffic.
3. The existing rules and regulations on public safety, peace and order, zoning, health and sanitation, environmental management and other requirements under existing ordinances shall be complied with.
4. Such other requisites as may hereafter be prescribed by the authorities concerned.

Section 74. SMOKING BAN IN ALL PUBLIC UTILITY VEHICLES. - No person shall smoke inside any public utility vehicle. Any person who violates this provision shall be imposed a fine of One Hundred Pesos (PhP 100.00) for first offense, Two Hundred Pesos (PhP 200.00) for second offense, and for third offense, a fine of Three Hundred Pesos (PhP 300.00), or imprisonment of thirty (30) days or both at the discretion of the court.

Section 75. CLOSED-DOOR POLICY ON ALL PUBLIC UTILITY BUSES. - All Public Utility Buses (PUBs) shall strictly observe the Closed-Door Policy except when loading and unloading at specified areas or zones. A fine of Two Hundred Fifty Pesos (PhP 250.00) shall be imposed for violation of this provision.

 ARTICLE IX
PUBLIC UTILITY VEHICLES

Section 76. FRANCHISE. - No person, natural or juridical, shall operate any motorized tricycle-for-hire in this Municipality without first securing a franchise from the Sangguniang Bayan and obtaining the corresponding tax clearances from the Office of the Municipal Mayor or duly authorized representative.

Section 77. PUBLIC UTILITY VEHICLE CONDUCTION STICKER. - (a) All owners or operators of public utility vehicles plying the route or passing through the territorial jurisdiction of the Municipality of Bustos, Bulacan shall be required to secure once in every year and to display the conduction sticker issued by the BTMO.

(b) A fine of Two Hundred Fifty Pesos (PhP 250.00) shall be meted out for failure to secure and display conduction sticker at the front windshield of a public utility vehicle.

Section 78. CONDUCTION STICKER SPECIFICATIONS. - The following shall be the specifications of the conduction stickers:

STICKER SIZE	TYPE OF VEHICLE	COLOR CODING	FEE
6 in. x 6 in. diameter	PUJ	Blue only	PhP 75.00
6 in. x 6 in. diameter	School Service	Pink only	PhP 75.00
6 in. x 6 in. diameter	Tricycle	Blue and pink	PhP 50.00

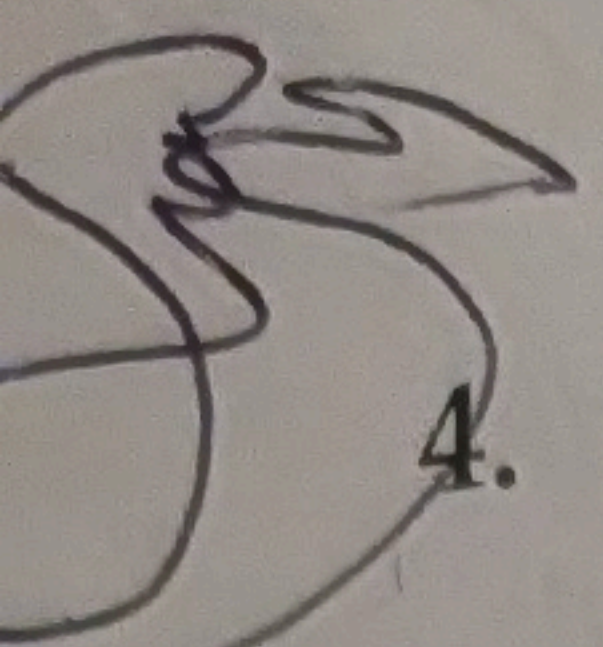
Section 79. REQUIREMENTS FOR THE ISSUANCE FOR CONDUCTION STICKER. - The following shall be the requisites for the issuance of the conduction sticker:

1. Photocopy of Certificate of Registration (CR)
2. Photocopy of unexpired Official Receipt (OR)
3. Photocopy of Driver's License
4. Insurance Coverage for Passenger and Third Party Liability

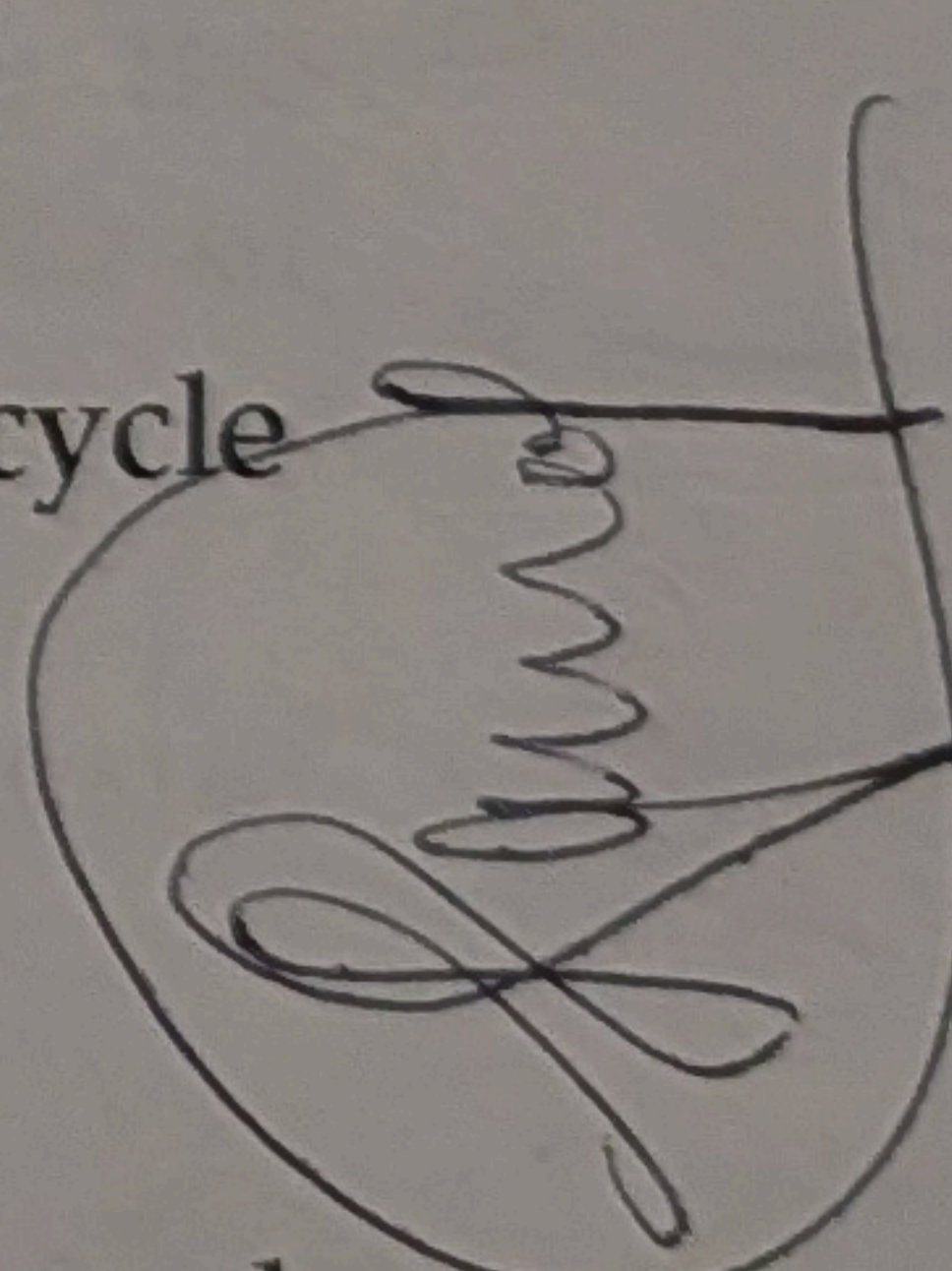
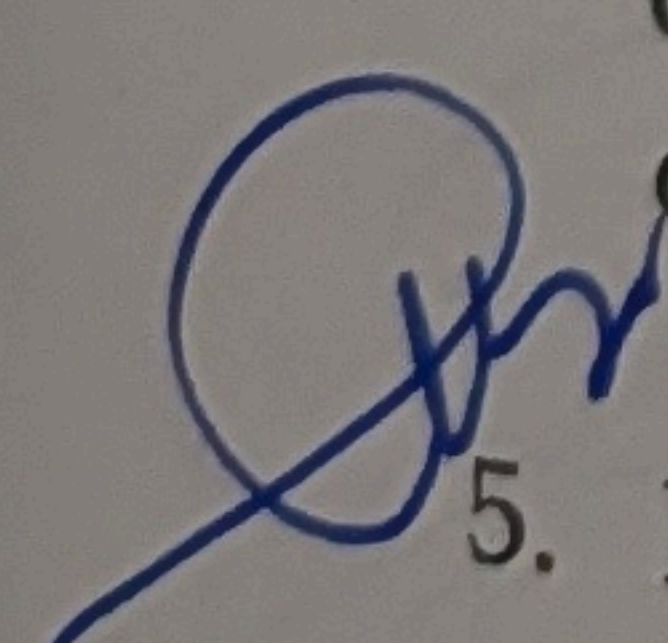
Section 80. MUNICIPAL PUBLIC VEHICLE PERMIT. - All owners or operators of public utility vehicles plying the route or passing through the territorial jurisdiction of the Municipality of Bustos, Bulacan shall be required to obtain once in every year a Municipal Public Vehicle Permit or MPVP.

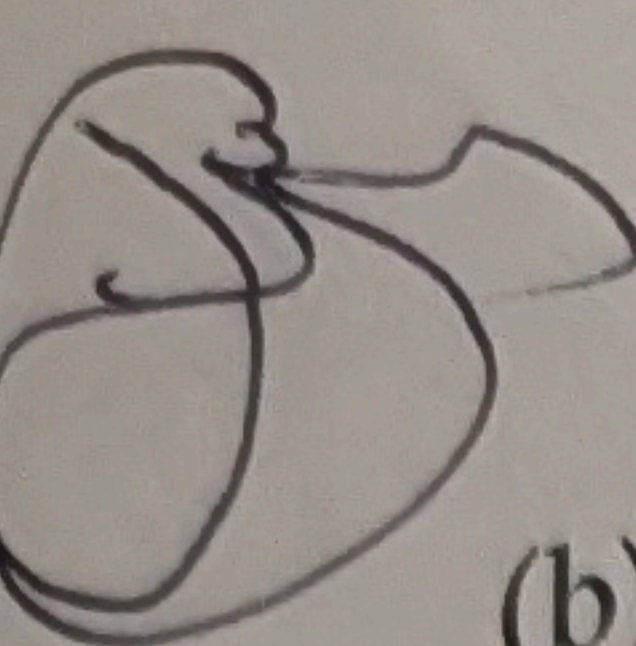
Section 81. RULES AND REGULATIONS RELATING TO ISSUANCE OF MPVP. - The following rules and regulations shall be implemented by the Office of the Municipal Mayor or his/her duly authorized representative:

1. Only tricycle franchise holders shall be granted MPVP.
2. The applicant for MPVP shall produce a certified recommendation from the board of public utility vehicle operators and drivers' association duly signed by its Board of Trustees where he/she is a member in good standing. However, if after requesting the said board for the issuance of said recommendation and for no apparent reason, the same was not granted within a period of ten (10) days, the said recommendation shall be deemed approved.
3. No MPVP shall be granted unless the applicant is in possession of a unit with valid registration papers and appropriate driver's license from the Land Transportation Office.

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4. The grantee of the MPVP shall carry common carrier insurance sufficient to answer for any liability it may incur to passengers and third parties in case of accidents.
 5. Seven (7) working days before the expiry date of the MPVP, the appropriate application for its renewal shall be made upon payments of the corresponding fees. No petition for renewal shall be accepted if filed beyond fifteen (15) working days after the expiry date, unless the corresponding fine of Fifty Pesos (PhP 50.00) is paid therefor.
 6. Each tricycle unit granted an MPVP shall be assigned and bear an identification number issued by the Office of the Municipal Mayor or duly authorized representative aside from its LTO license plate number and the conduction sticker.
 7. Operators of tricycle-for-hire shall only employ drivers with appropriate driver's license issued by the Land Transportation Office (LTO).
 8. For purposes of safety and convenience of passengers, no tricycle for hire shall be allowed to carry more than three (3) passengers, that is two (2) passengers inside the sidecar and one (1) passenger at the back seat of the tricycle driver.
 9. An Annual Safety Inspection Certificate shall be issued by the BTMO after satisfactory inspection of the unit for the purpose of insuring public order and safety.

Section 82. FRANCHISING REQUIREMENTS. - (a) An applicant for franchise shall submit the following to the Sangguniang Bayan in two (2) copies:

1. Barangay certification or clearance where the tricycle is to operate. The operator must be a resident of the Municipality of Bustos, Bulacan;
 2. Certificate of Registration and latest Official Receipt for motorcycle from the Land Transportation Office (LTO);
 3. Photocopy of appropriate driver's license;
 4. Photocopy of certificate of membership in a public utility drivers and operators' association: *Provided*, That an applicant is a member of only one (1) association;
 5. Franchise application fee official receipt from the Office of the Municipal Treasurer; and
 6. Insurance coverage for passenger and third party liability.
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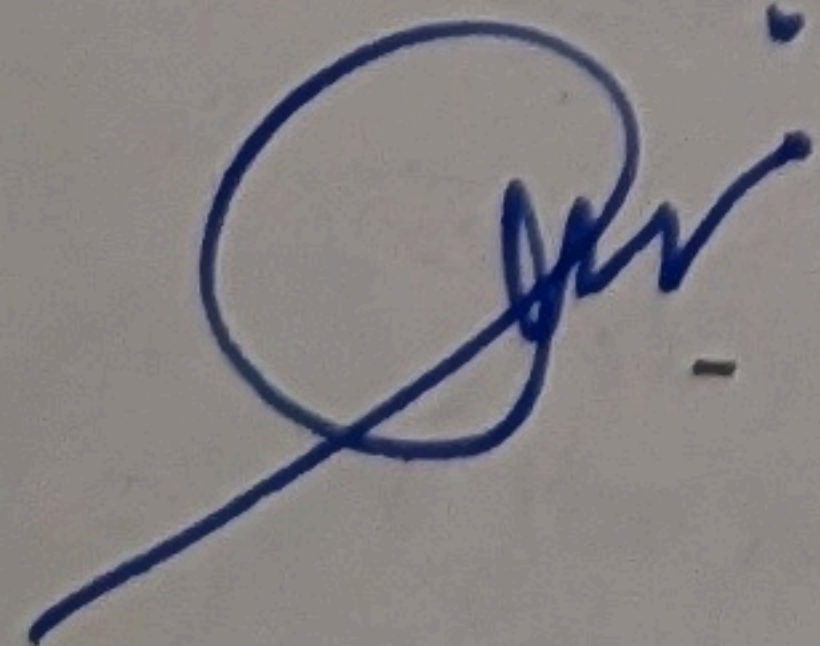
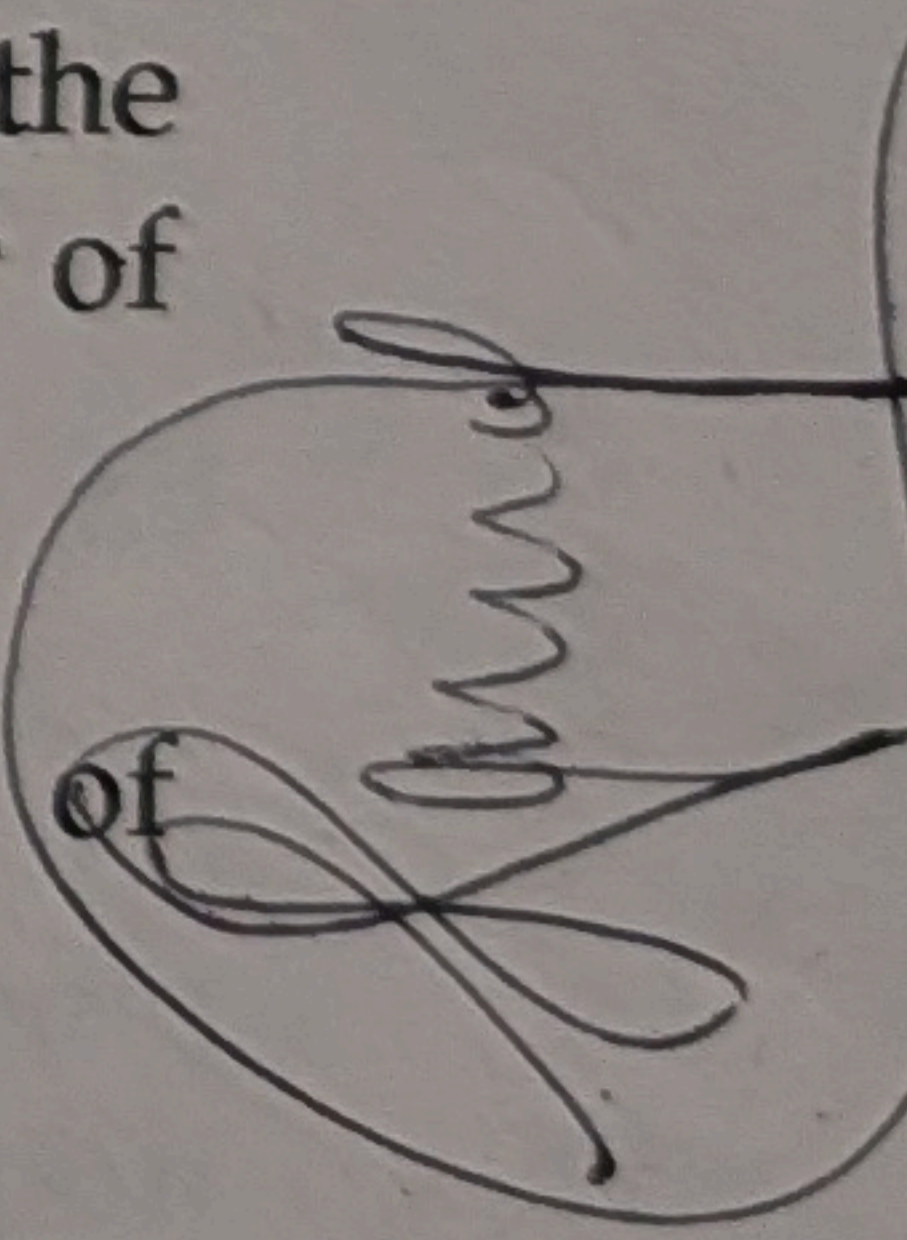


(b) Upon completion of the requirements, the Sangguniang Bayan shall review the same for approval of the franchise through a resolution adopted for that purpose. The Sanggunian may impose additional requirements such as drug tests and medical or psychological examination.

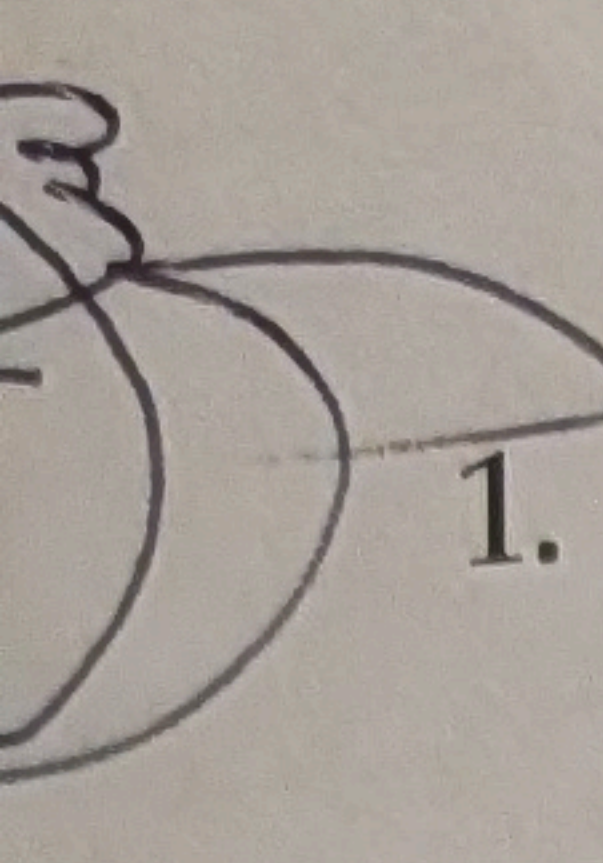
Section 83. FRANCHISE APPLICATION FEE. - (a) Fee for the application of franchise shall be paid to the Office of the Municipal Treasurer with fifty percent (50%) thereof automatically accrued to the Office of the Sangguniang Bayan as funds therefor.

(b) The Sangguniang Bayan shall, by resolution, prescribe the fees for the application of franchise. Notwithstanding the disapproval of an application to secure a franchise, the fee paid therefor shall be non-refundable.

Section 84. RULES AND REGULATIONS RELATING TO ISSUANCE OF FRANCHISE. - The following rules and regulations shall be observed by the Sangguniang Bayan:

1. Filipino citizens shall be granted franchise;
 2. In the grant of franchise, members of a tricycle cooperative shall be given preference;
 3. Each qualified applicant shall only be issued and granted one (1) franchise. The holder of two (2) or more franchise prior to the effectivity of this Code shall be obliged to choose one (1) from among them. No person shall have more than one (1) franchise.
 4. Franchise shall be transferable in any of the following circumstances:
 - a. By death of original owner of franchise can be effective thru submission of a request and death certificate to the Sangguniang Bayan. The legitimate spouse, or in the absence thereof by the legitimate heirs of legal age are given preference to the transfer of the franchise.
 - b. By sale can be allowed after three (3) years from the date of issuance of the franchise *except*:
 - If the owner of franchise shall transfer residence outside of the territorial jurisdiction of the Municipality of Bustos, Bulacan.
 - If the heirs are not interested to continue operating the unit.
 - If the owner of the franchise is physically incapacitated.
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Section 85. CANCELLATION OR REVOCATION OF FRANCHISE. - Franchise shall be cancelled or revoked in any of, but not limited to, the following grounds:

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1. When the holder is convicted of any crime relating to violation of the Dangerous Drugs Act.
 2. When the holder is convicted of any crime involving moral turpitude.
 3. If the holder was caught violating any traffic rules prescribes in this Code or any pertinent Republic Acts, three (3) times or more in a month of operation.
 4. Failure to renew franchise within a period of one (1) month.
 5. Unauthorized transfer of franchise as determined by the BTMO.
 6. Unauthorized transfer of franchise commensurate to violating any of the provisions of this Code.

Section 86. REINSTATEMENT OF FRANCHISE. - The following are the procedures on the reinstatement of franchise:

1. Upon effectivity of this Code, it is mandatory to all franchise holders to surrender their individual franchise to the Sangguniang Bayan within thirty (30) days upon receipt of notice.
2. Failure to comply within the above stated period shall mean automatic cancellation or revocation of the franchise.
3. Tricycles for hire with surrendered franchises shall be allowed to continue operating within its respective zone provided the franchise, appropriate driver's license, registration and insurance are still in effect.
4. The franchise holder can apply for the same franchise which shall be issued directly in the name of the applicant.

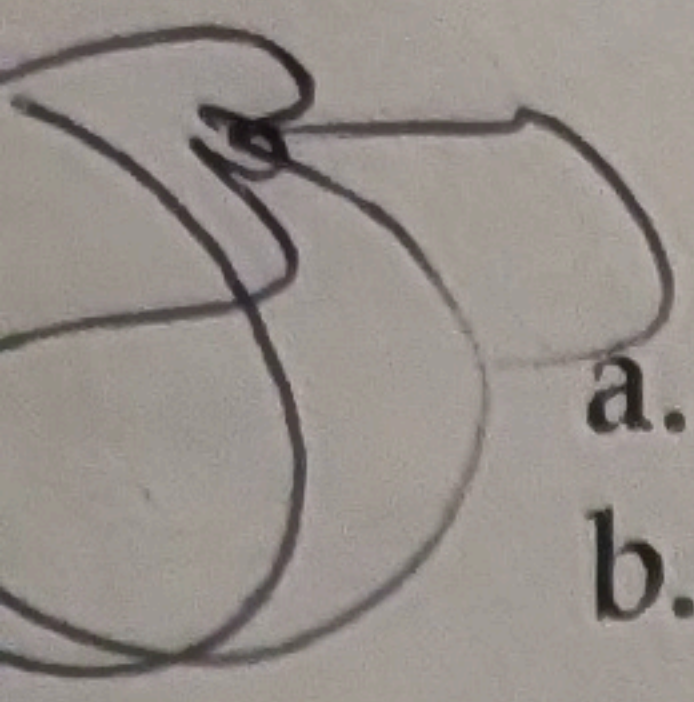
Section 87. CONDUCT AND DUTIES OF TRICYCLE DRIVERS. - All tricycle drivers shall observe the following:

1. All drivers of tricycle-for hire shall be required to wear shoes, polo shirt or T-shirt with collar and long pants: *Provided*, That upon occurrences of rain, flood or storm, all tricycle-for-hire drivers shall be allowed to wear rubber slippers, sandals and long pants;

2. Tricycle driver must be always neat in appearances and courteous to the riding public.

3. Wearing of *sando*, undershirts and/or short pants, in combination or solely, are strictly prohibited.

4. Tricycle driver shall display the following inside the tricycle:

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- a. His/her identification card;
 - b. BTMO or BEST Office contact number;
 - c. Bustos Police contact number; and
 - d. Fare matrix.

Section 88. RESERVATIONS. - Nothing in this Article and other related articles shall be construed to diminish the authority of the Sangguniang Bayan to issue, amend, revise, renew, suspend or cancel any franchise and prescribe the appropriate terms and conditions therefor; determine, fix, prescribe or periodically adjust fares or rates for the service provided in a zone or fixed route after public hearing; prescribe and regulate zones of service in coordination with the barangay; fix, impose and periodically review and adjust but not oftener than once every three (3) years, reasonable fees and other related charges in the regulation of tricycle-for-hire; establish and prescribe the conditions and qualities of service to the public.

ARTICLE X MODIFIED TRICYCLE ZONES

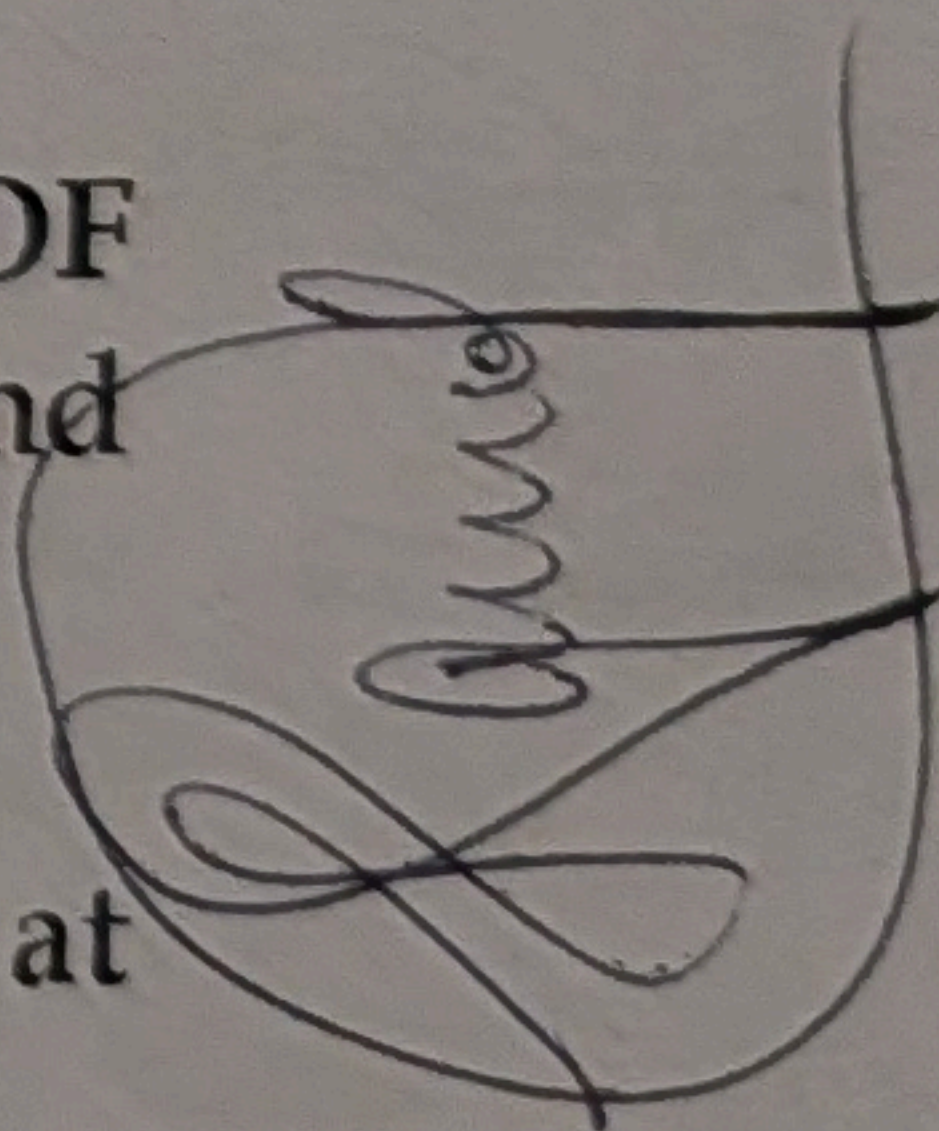
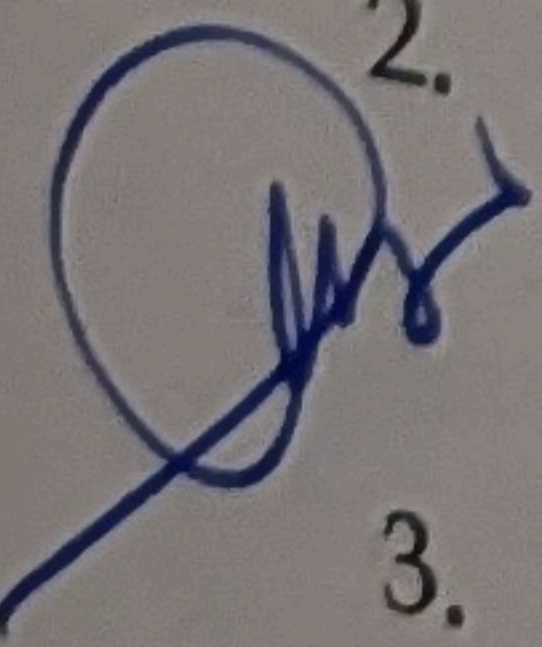
Section 89. TERMINALS - The existing terminals of associations or cooperatives tricycle operators and drivers shall be maintained until final termination of the BTMO.

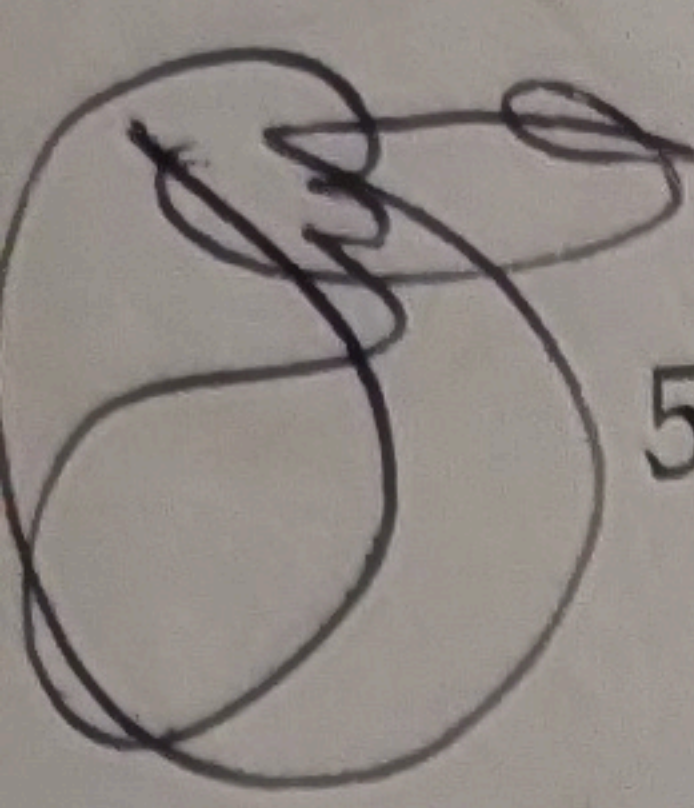
Section 90. BODY COLOR - The existing body color of tricycles-for-hire each Tricycle Operator's and Driver's Association (TODA) shall be maintained until altered by the BTMO.

Section 91. BODY NUMBER - The BTMO shall designate the body number to be adopted by each tricycle-for-hire in a given zone.

ARTICLE XI TRAFFIC ENFORCER

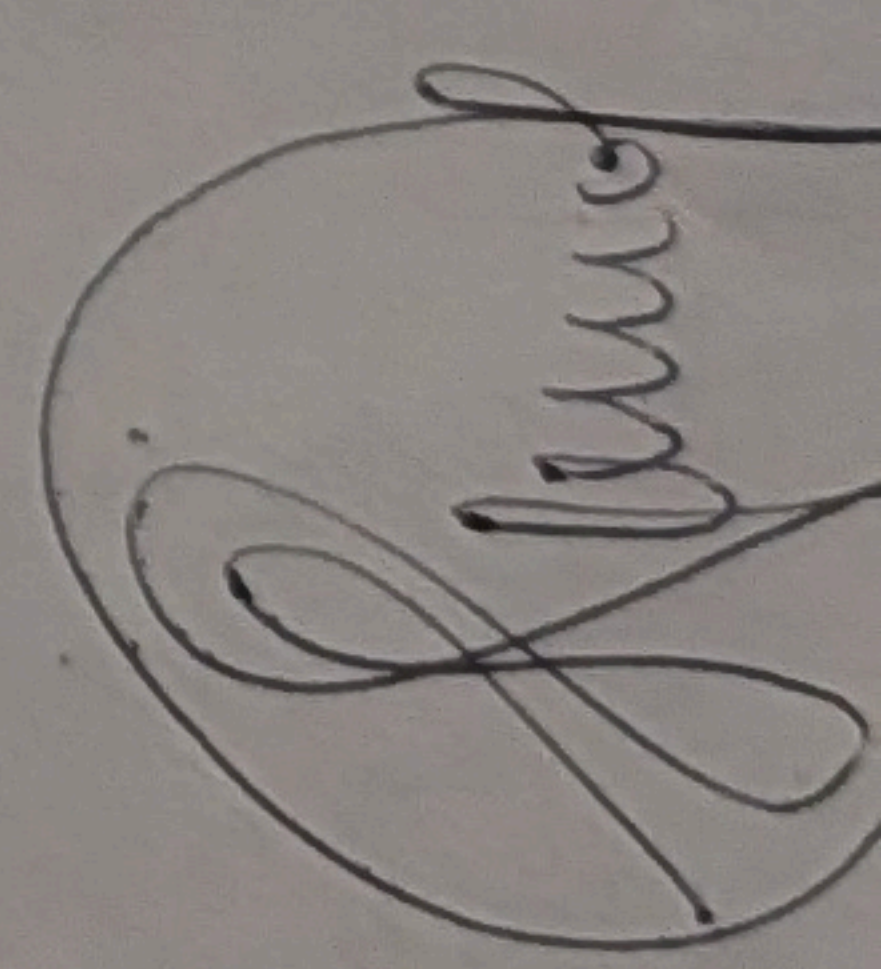
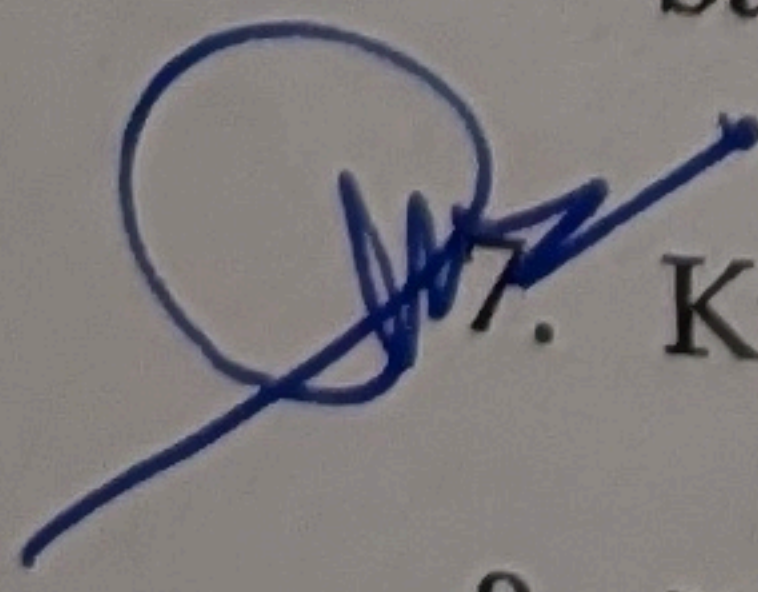
Section 92. DUTIES, RESPONSIBILITIES AND STRENGTH OF BEST OFFICERS - (a) The BEST Officer shall perform the following duties and responsibilities:

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1. Direct, control and maintain the orderly and smooth flow of traffic at busy intersections within the Municipality of Bustos, Bulacan.
 2. Apprehend violators of traffic laws, ordinances, rules and regulations observing prescribed procedures.
 3. Protect the Ordinance Violation Receipt (OVR) booklet against damage, loss, tampering, erroneous entry of data and unauthorized use.
 4. To be in complete uniform with visible nameplate and Identification Card when issuing an Ordinance Violation Receipt (OVR).

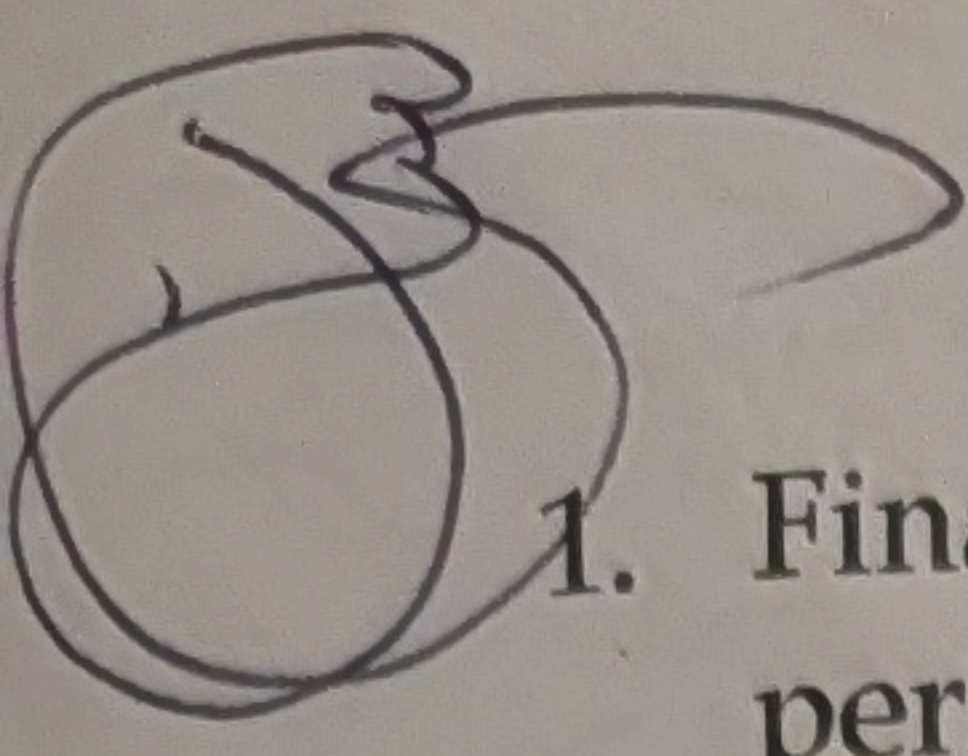
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5. To make a monthly report of all apprehensions where Ordinance Violation Receipt (OVR) is issued to be submitted to BTMO every fifth (5th) working day of the month.
 6. Must turnover to BTMO all used Ordinance Violation Receipt (OVR) booklets before issuance of a new booklet.
 7. Surrender or present used/unused Ordinance Violation Receipt (OVR) booklets upon demand from issuing officer.
 8. Appear before appropriate venues (e.g. BTMO, Judicial Court) when summoned for contested apprehension.
 9. Impound or tow vehicles of drivers found to have committed impoundable violations. The apprehending officer shall indicate in the Ordinance Violation Receipt (OVR) that the vehicle is to be impounded and follow the appropriate procedures for impounding or towing.
 10. Assist and provide traffic and crowd control during special occasions, calamities and other similar emergencies.
 11. Perform such other duties and functions as maybe authorized.

(b) As far as practicable, the strength of BEST Officers shall be at least five (5) personnel at all times.

Section 93. QUALIFICATIONS OF A BEST OFFICER. - No BEST Officer shall be hired unless he/she is:

1. At least twenty-one (21) years of age;
 2. High school graduate;
 3. At least 5'4 for males, 5'2 for females;
 4. *Bona fide* resident of the Municipality of Bustos, Bulacan;
 5. Registered voter of the Municipality of Bustos, Bulacan;
 6. With Certificate of Good Moral Character issued by the concerned barangay of the place of residence;
 7. Known for probity and integrity; and
 8. With clearance issued by the National Bureau of Investigation (NBI).
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Section 94. FINANCIAL INCENTIVES TO BEST OFFICERS. - As far as possible, the Best Officers shall be provided with the following incentives:

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1. Financial incentive is granted to BEST Officers to encourage them to perform their traffic enforcement duties well.
 2. Each BEST Officer who has issued an Ordinance Violation Receipt (OVR) to a traffic violator shall be entitled to ten percent (10%) of the fine paid to the Office of the Municipal Treasurer.
 3. The percentage due to the BEST Officer shall be withheld pending the resolution of the apprehension he/she has made if such is contested before the BTMO.

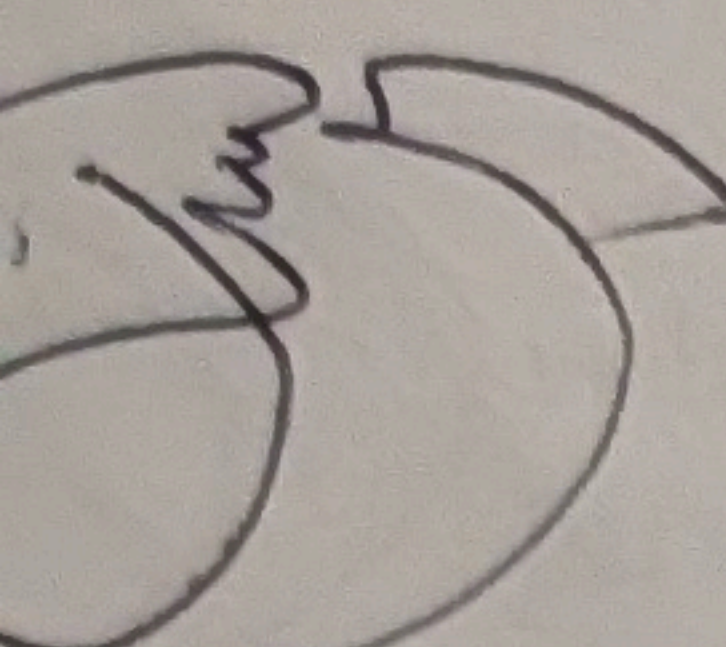
Section 95. LAND TRANSPORTATION OFFICE. - Nothing in this Code shall be construed to diminish the authority of the Land Transportation Office in implementing Republic Act No. 4136 otherwise known as the "Traffic Code of the Philippines," and the Department of Transportation and Communication (DOTC) Department Order No. 93-693, and other traffic rules and regulations being implemented by that Office.

ARTICLE XII VEHICLE TOWING GUIDELINES

Section 96. DEFINITION OF TERMS. - For the purposes of this Article, the following shall mean:

1. Bustos Enforcement and Safety Team (BEST) - the office that has the direct supervision and control over traffic flow of the road or street.
2. Colorum vehicle - refers to type of vehicles offering service to the public for a fee but without franchise issued by the proper government offices.
3. Contested apprehensions - apprehension where a traffic violator issued an Ordinance Violation Receipt (OVR) questions the same by filing a protest at the Bustos Traffic Management Office (BTMO) within the prescribed period.
4. Deliberate refusal - shall mean the failure to pay the appropriate fine and surcharge impose to traffic violators within the prescribed period.
5. BEST Officer - the duly appointed employee/officer whose responsibilities among others are to enforce traffic rules and regulations for the maintenance and control of traffic flow.
6. Illegally parked vehicle - any vehicle parked unattended in areas where parking is prohibited as hereunder enumerated:

- a. Along the road and shoulders of General Alejo S. Santos Highway covering Barangays Cambaog, Talampas, San Pedro, Poblacion, Tanawan, Bonga Menor, Bonga Mayor, and Tibagan until the boundary thereof to Barangay Niugan, Angat.



b. Along the road and shoulders from the Bustos-Baliuag Bridge up to the entire C.L. Hilario Street of Barangay Poblacion.

c. Along national highways, provincial roads, municipal roads and barangay roads within the territorial jurisdiction of the Municipality of Bustos, Bulacan.

d. Within six (6) meters from any intersection or curved lane

e. Within four (4) meters from driveway/entrances of any fire station, hospital, clinic and other similar establishments.

f. Within four (4) meters from fire hydrants.

g. On the roadside of any vehicle stopped or parked.

h. On crosswalk or pedestrian lane.

i. In front of any private driveway.

j. On the sidewalk, paths, or alleys not intended for parking.

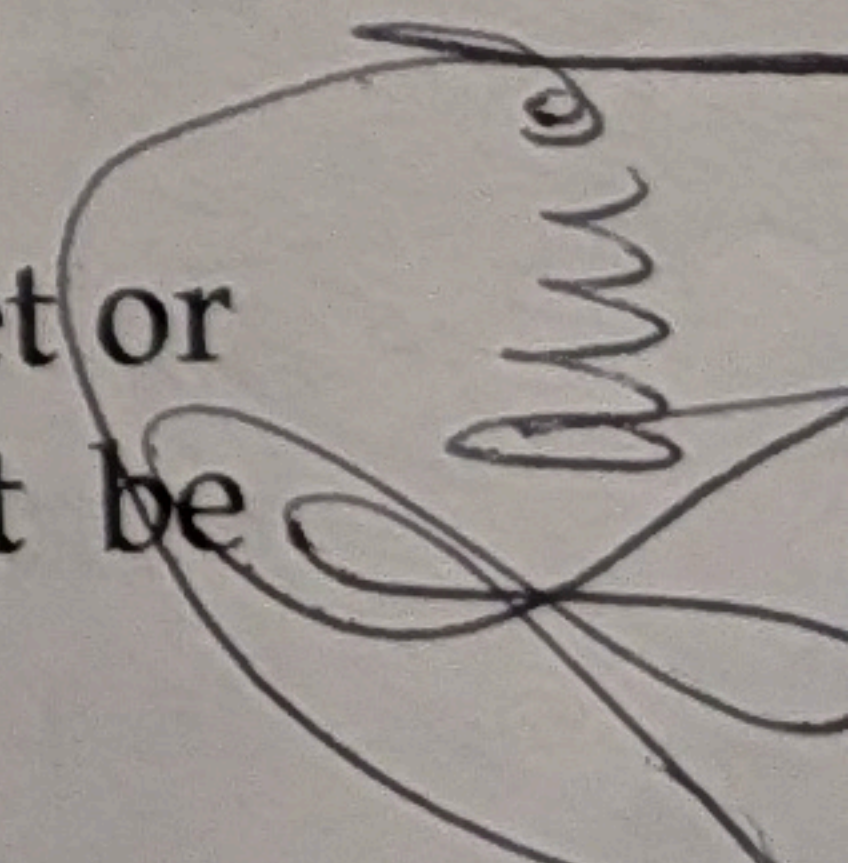
k. At the foot of or near a bridge.

l. At any place where official signs have been erected prohibiting parking and/or declared "No Parking Zone" by the BTMO.

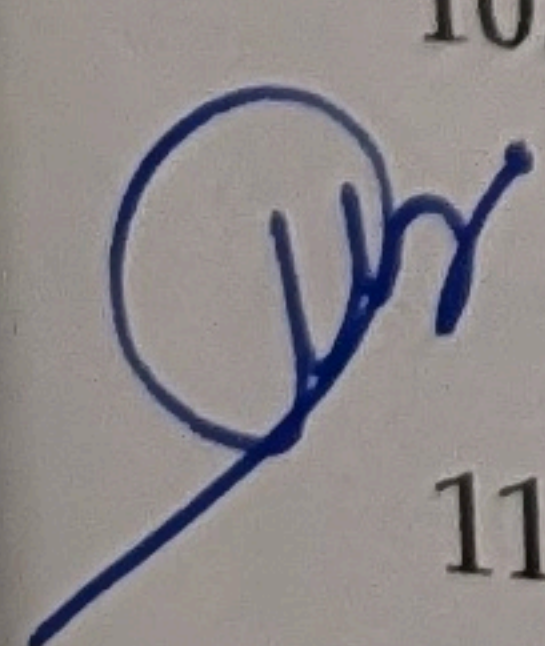
7. Impoundable violations - pertains to violations where the vehicle is towed to the designated impounding area. Released of impounded vehicle can only be made upon payment of the impounding fee and presentation of valid documents.

8. Out of line vehicle - refers to type of vehicles offering services to the public for a fee with franchise issued by proper government offices but operating outside of its approved route of operation.

9. Stalled vehicle - any vehicle, motorized or otherwise, on the road, street or thoroughfare due to mechanical trouble, or road accident could not be operated on nor moved on its own.

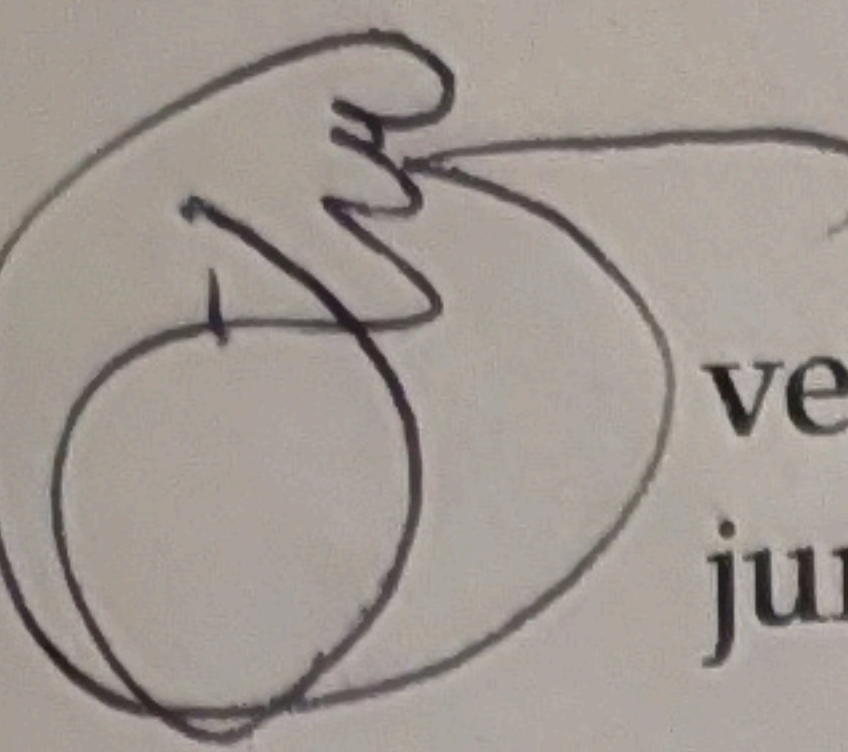


10. Thorough street - shall mean national, provincial, municipal, or barangay main roads with the territorial jurisdiction of the Bustos, Bulacan.



11. Towing crew - all personnel or officers of the Municipal Government and the towing company assigned to a towing vehicle actually undertaking towing operations.

12. Towing company - any company authorized by the Municipal Government, to undertake the towing of stalled and illegally parked



vehicles on roads, streets or thoroughfares within the territorial jurisdiction of the Municipality of Bustos, Bulacan.

13. Ordinance Violation Receipt (OVR) – a receipt issued by a Traffic Officer to violators of traffic laws, rules and regulations within the territorial jurisdiction of the Municipality of Bustos, Bulacan.
14. Unattended vehicle – a parked vehicle whose driver is neither inside the vehicle nor around the vicinity to move the vehicle out of the prohibited area, when required, and to receive an Ordinance Violation Receipt (OVR). Vehicles left by the owners for such a long period of time or overnight on the road are included.

Section 97. TOWING COMPANY ACCREDITATION. – (a) No towing company for stalled or illegally parked vehicles shall operate in the Municipality of Bustos, Bulacan without accreditation by the Sangguniang Bayan.

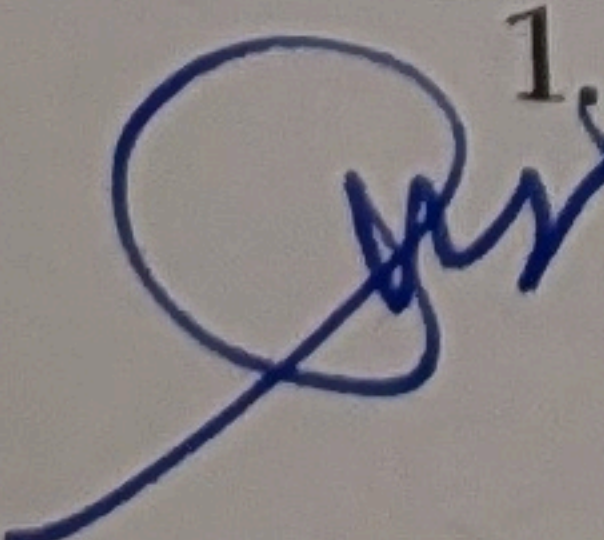
(b) The Municipal Government shall tow stalled vehicles and in default or insufficiencies, the Municipal Government may accredit towing companies upon submission of the following requirements for accreditation:

1. Documentary proof of ownership of possession, lease or authority to use and operate a motor vehicle properly equipped with standard towing equipment.
2. Written proof of availability of the necessary organizational manpower, equipment, materials and financial capability of the applicant.
3. Authentic copy of the public liability insurance by a reputable insurance company adequate to cover loss of, or damages to the motor vehicle towed, and updated receipt of payment of premiums and cash bond.

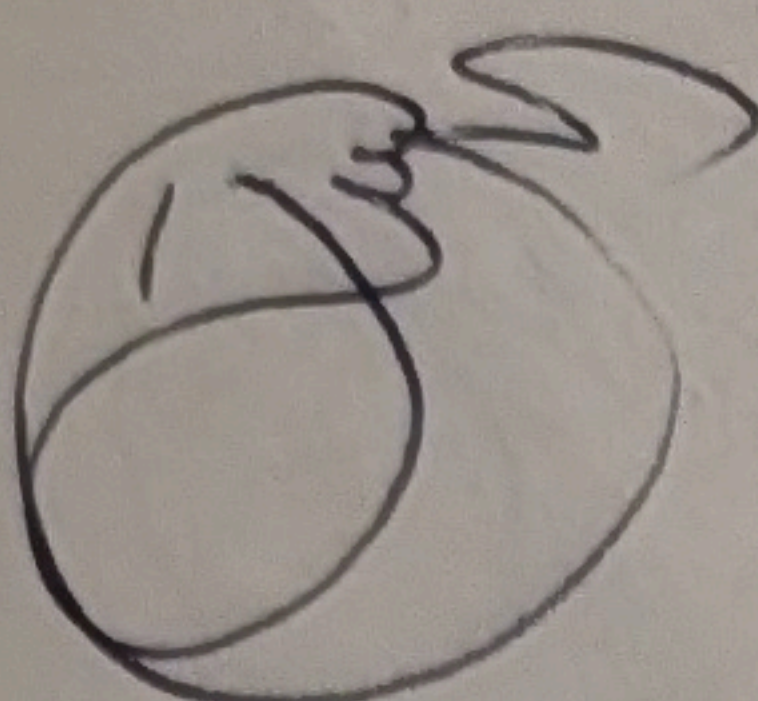
Section 98. CONTROL AND COORDINATION. – All towing operations undertaken by the Municipality shall be under the control and supervision of the BTMO.

Section 99. ORIENTATION. – The BTMO shall conduct a brief orientation course on the contents of this Code and about proper decorum for all towing crew and Municipal Government workers involved in towing operations.

Section 100. GUIDELINES. – The following guidelines should be strictly observed in the towing of vehicles in the Municipality of Bustos, Bulacan:

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1. All authorized towing vehicles undertaking towing operations in the Municipality should have the car number and towing company name clearly printed on the sides and rear portion of the vehicle. The number should be bold and five (5) inches in height, while the company name letters should also be bold and five (5) inches.

2. All towing companies operating in the Municipality of Bustos, Bulacan shall post a cash bond of Twenty Thousand Pesos (PhP 20,000.00) to answer for any damages caused by its towing operation on the towed vehicle. In case the cash bond is partially or fully consumed as payment for damages incurred during the towing operation the same shall be replenished. Failure to replenish such bond within three (3) working days shall cause the suspension of the permit.
3. The Municipal Government shall not be held liable for any damages during the towing operations undertaken by any accredited towing company.
4. Team leaders of all towing operations as well as the authorized Municipal Government personnel coordinating operations in the vehicle impounding area should attend a seminar on the provision of this Code and on proper decorum to be given by the BTMO that shall issue Seminar Completion Certificates to the participants.
5. All members of the towing crew during operations shall be properly identified with their identification cards and prescribed uniform.
6. All towing vehicles on operations shall at all times be accompanied by uniformed government traffic personnel authorized to issue Ordinance Violation Receipt (OVR).
7. The team leader of the towing crew shall make a report to the BTMO for every towing operation conducted and make mention of the following among others:
 - type of vehicle;
 - plate number;
 - owner/driver and address;
 - place and time of towage;
 - reason(s) for towing; and
 - Ordinance Violation Receipt (OVR) number issued.
8. Unattended, illegally parked vehicles without drivers may be towed to designated impounding area.
9. Driver of illegally parked vehicles shall be issued an Ordinance Violation Receipt (OVR) and shall be directed to drive his/her vehicle out of the "No Parking Area."
10. Towing crews shall be required to leave an information card in nearby houses, establishments or building where a vehicle was towed. This card shall contain material information such as:
 - plate number and description of the towed vehicle;

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- where the vehicle was brought or sketch of the impounding area location; and
 - requirement and corresponding fees to be paid for redemption of the vehicle.

11. A stalled vehicle on the road, street or thoroughfare with or without its driver shall be towed to the nearest available motor shop, parking area or any available space where it will not obstruct vehicular or pedestrian traffic. The area to be determined by the vehicle owner/driver if he/she is present, if these areas are available and nearest than the impounding area and shall be charged of the towing fee only in accordance hereof.

Section 101. EXCEPTION FROM TOWING. - (a) Stalled motor vehicles shall not be towed without the consent of its driver/owner/operator, as the case maybe in the following situations:

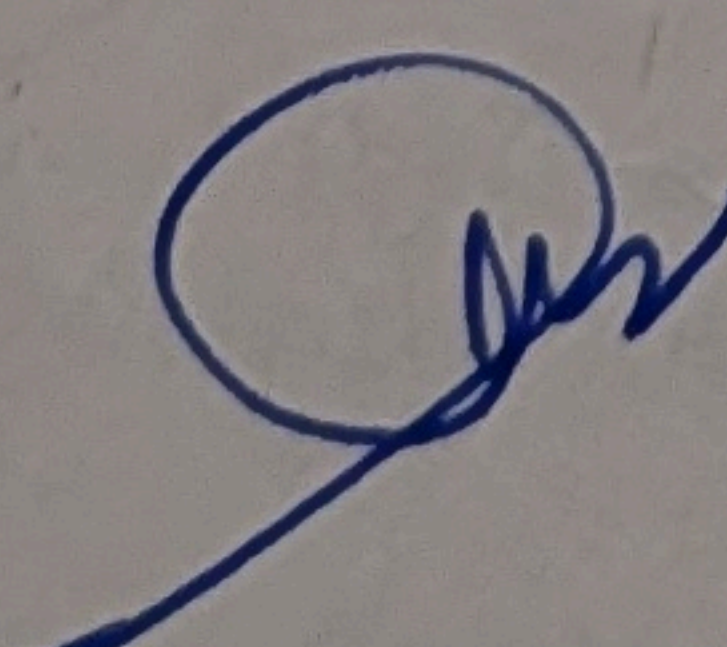
1. When the stalled vehicle has been pushed beside the shoulder of the road, street, or thoroughfare and does not obstruct traffic.
2. When the motor vehicle has been pushed to the side of the road, street or thoroughfare where vehicular traffic is not affected and a mechanic has already been called to repair the defective engine.
3. When the motor vehicle was stalled due to lack of fuel and has been pushed to the side of the road, street or thoroughfare where vehicular traffic is not affected and the purchase of the necessary fuel has already been arranged by the driver/owner.

(b) In any of the foregoing situations, only an Ordinance Violation Receipt (OVR) for stalled or illegally parked motor vehicle may be issued. The said vehicle, however, shall not be allowed to remain in the said situation for more than one (1) hour.

Section 102. AUTHORIZED RATES OF TOWING FEES. - (a) The fees to be imposed for towing stalled/illegally parked motor vehicle along any national highway, public road, street or thoroughfares within the territorial jurisdiction of the Municipality of Bustos, Bulacan shall not exceed the following rates:

TYPE/LOAD OF VEHICLES

TOWING FEES

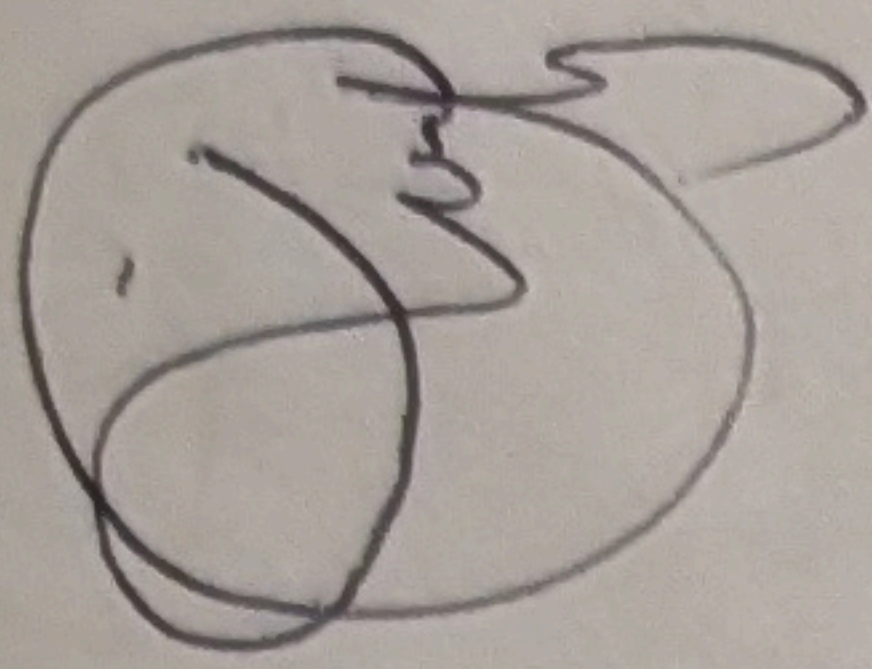


Container vans, trailers, lorries - for the 1st km or a fraction thereof

PhP 1,600.00

Trucks having gross capacity weight above 4,000 kgs. - for the 1st km or a fraction thereof

PhP 1,200.00



Cars, jeeps and pick-ups having gross capacity weight of 4,000 kgs. and below - for the 1st km. or fraction thereof

PhP 800.00

(b) To be added thereto is Two Hundred Pesos (PhP 200.00) for every succeeding kilometer thereafter. Point of reference is the impounding area.

(c) The manager of the towing company in case of corporation or the proprietor and his/her manager in case of single proprietorship, together with the members of the towing crew in the towing truck concerned, shall be collectively liable including the government's traffic officer accompanying the towing crew, unless any of the members of the towing crew or the traffic officer files a formal dissenting report against the towing operation conducted to the BTMO within twenty four (24) hours from operation. Such report may exempt him/her from any liabilities under this Code if the same is found valid and meritorious. The team leader of the towing crew is not exempt from liability when found to be negligent of his/her duties.

Section 103. ACT OF GOODWILL. - Accredited tow trucks shall render its services free of charge in times of conflagration, floods, earthquakes, and other unusual occurrence of events or force majeure within the territorial jurisdiction of the Municipality of Bustos, Bulacan.

Section 104. SHARING OF PROCEEDS. - Towing fees shall be paid directly at the Office of the Municipal Treasurer with eighty percent (80%) of the proceeds shall be remitted to the accredited towing company and the remaining twenty percent (20%) shall be remitted as funds of the Bustos Enforcement and Safety Team (BEST).

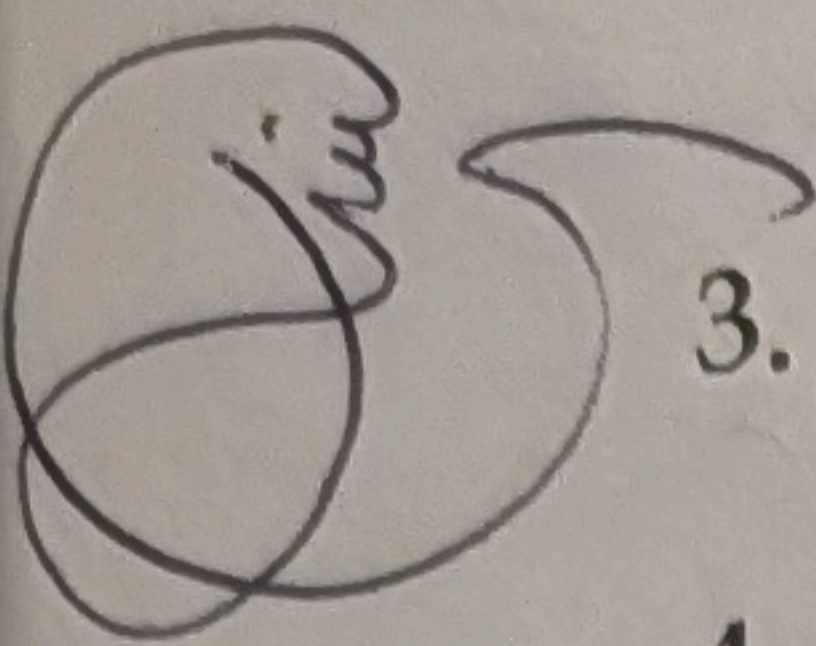
Section 105. AUTHORIZED RATES FOR IMPOUNDED VEHICLES. -
(a) The fees to be imposed for impounded vehicles shall not exceed the following rates.

<u>TYPE/LOAD OF VEHICLES</u>	<u>TOWING FEES</u>
Vehicles with gross capacity weight above 4,000.00 kg.	PhP 300.00
Vehicles with gross capacity weight of 4,000.00 kg. and below	PhP 150.00

(b) The Sangguniang Bayan, through resolution, is hereby authorized to update the following fees stated herein.

Section 106. IMPOUNDABLE VIOLATIONS. - The following shall be considered impoundable violations:

1. Colorum public utility vehicle;
2. Out-of-line public utility vehicle;

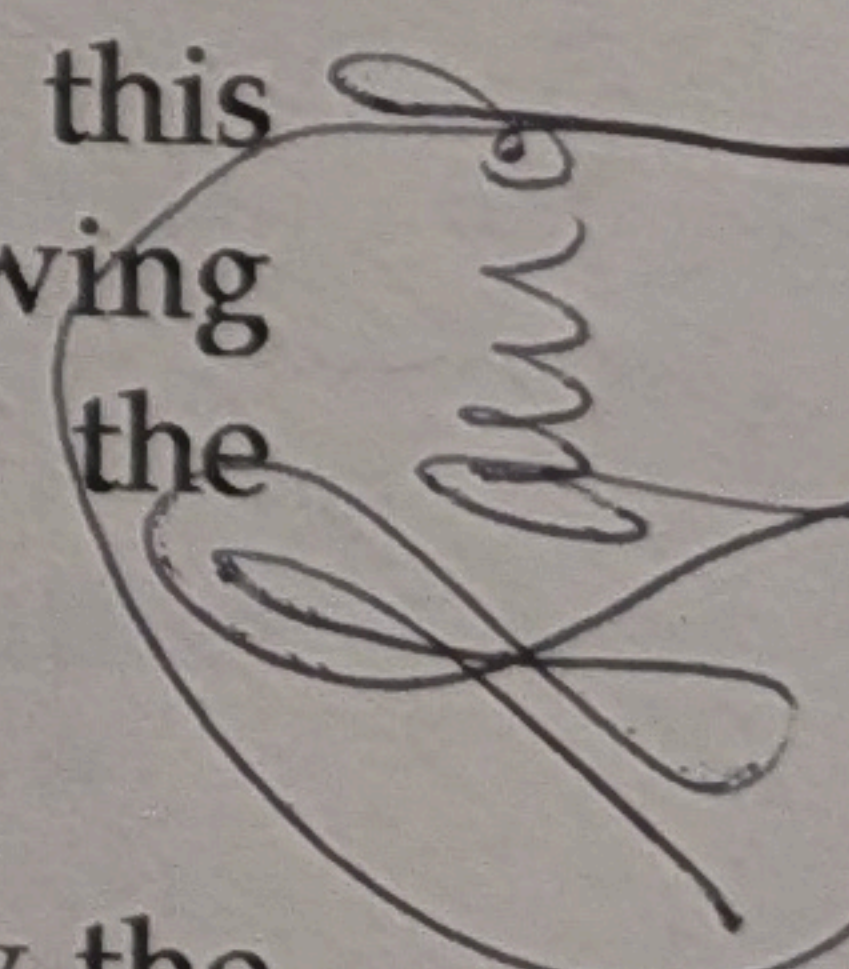
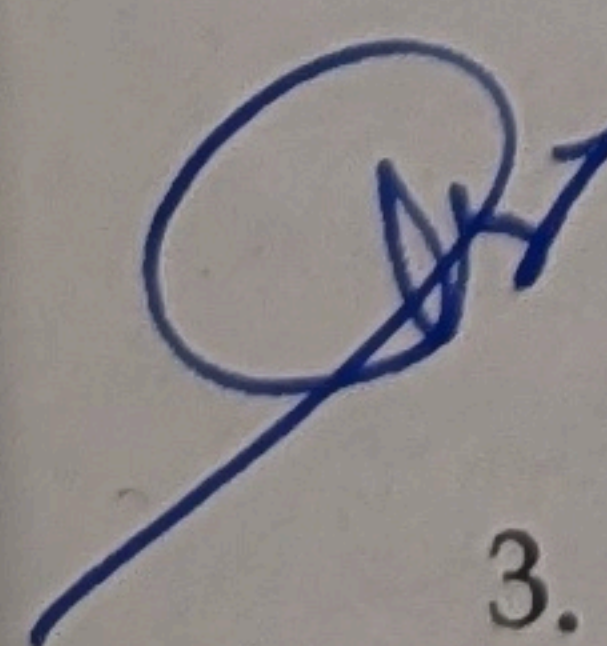
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3. Public utility vehicles with no or incomplete documents required for display;
 4. Public utility vehicle of driver not in proper attire;
 5. Use of spurious documents;
 6. Abandoned vehicle used in illegal activities;
 7. Unattended illegally parked vehicle without driver;
 8. Driving under the influence of or while drinking or taking intoxicants or prohibited drugs;
 9. Driving motorcycles without helmet and safety gears as prescribed in this Code; and
 10. Driving without appropriate driver's license issued by the LTO.

Section 107. ACKNOWLEDGEMENT OF CUSTODY OF VEHICLE. - Owners and/or drivers of impounded vehicle shall be issued proper receipts and checklist of bill of particulars.

Section 108. RELEASE OF IMPOUNDED VEHICLES. - The following are the guidelines for the release of impounded vehicles:

1. Owners of impounded vehicles must pay the amount of fine corresponding to the violations committed at the Office of the Municipal Treasurer or satellite paying stations, as may be established by the BTMO, and present valid receipts as proof of payment to the impounding officer for the release of the vehicle.
2. The impounding officer shall issue a separate receipt indicating the impounding or storage fee corresponding to the number of days the vehicle has remain at the impounding area. The redeeming owner shall likewise pay the amount at the Office of the Municipal Treasurer or satellite paying stations, as may be established by the BTMO.

Section 109. DISPOSAL OF IMPOUNDED VEHICLE. - The following are the guidelines for the disposal of impounded vehicles:

1. Any motor vehicle towed and impounded for the violation of this Code shall only be released after payment of the appropriate towing and impounding fee per vehicle to be paid at the Office of the Municipal Treasurer by the driver and/or owner of the vehicle.
 2. All motor vehicles duly impounded by the BEST not redeemed by the owners within a period of thirty (30) days from date of a receipt of the last notice shall be sold and disposed of by the Municipal Auction Committee in a public sale.
 3. If the owner is not known it shall be the duty of the Municipal Government, through the BEST to verify the registered owner.
 4. In all cases before any public sale is done, the owners of the impounded and abandoned vehicles, shall be given three (3) written notices by the Auction Committee, through registered mail with return
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card. The notices shall be sent not oftener than once every seven (7) days giving them the option to redeem the said property after paying all the necessary charges within a period of thirty (30) days from the receipt of last notice or to participate in the public bidding to be set and conducted by the Municipal Auction Committee.

5. The manager of the security company or his/her duly authorized representative in case of corporation or the proprietor and his/her manager in case of single proprietorship shall be held principally liable in case of loss and or damages to the vehicle while inside the impounding area.
6. Claims for loss and or damages of the vehicle while inside the impounding area shall be filed by the owner of the vehicle directly to the government or directly to the concerned security agency.

Section 110. HIRING OF SECURITY SERVICES FOR THE IMPOUNDING AREA. - The following guidelines shall be strictly observed in the hiring of security services in the impounding area in the Municipality of Bustos, Bulacan:

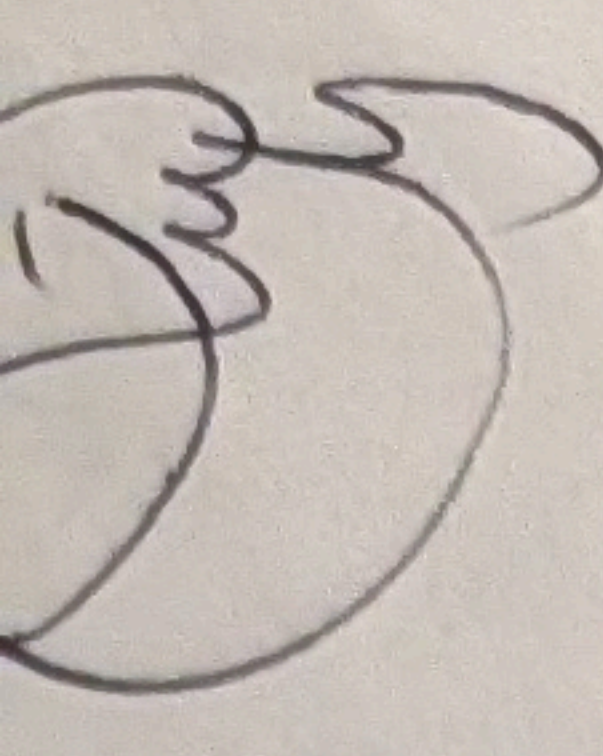
1. Bidding provisions of Republic Act No. 9184 otherwise known as the "Government Procurement Reform Act."
2. The winning bidder shall enter into a Memorandum of Agreement (MOA) for the posting in the amount as may be agreed upon by the parties concerned.

Section 111. THE MUNICIPAL AUCTION COMMITTEE; CREATION AND COMPOSITION. - There shall be an Municipal Auction Committee, which shall administer the auction of all impounded motor vehicles to be composed of the following:

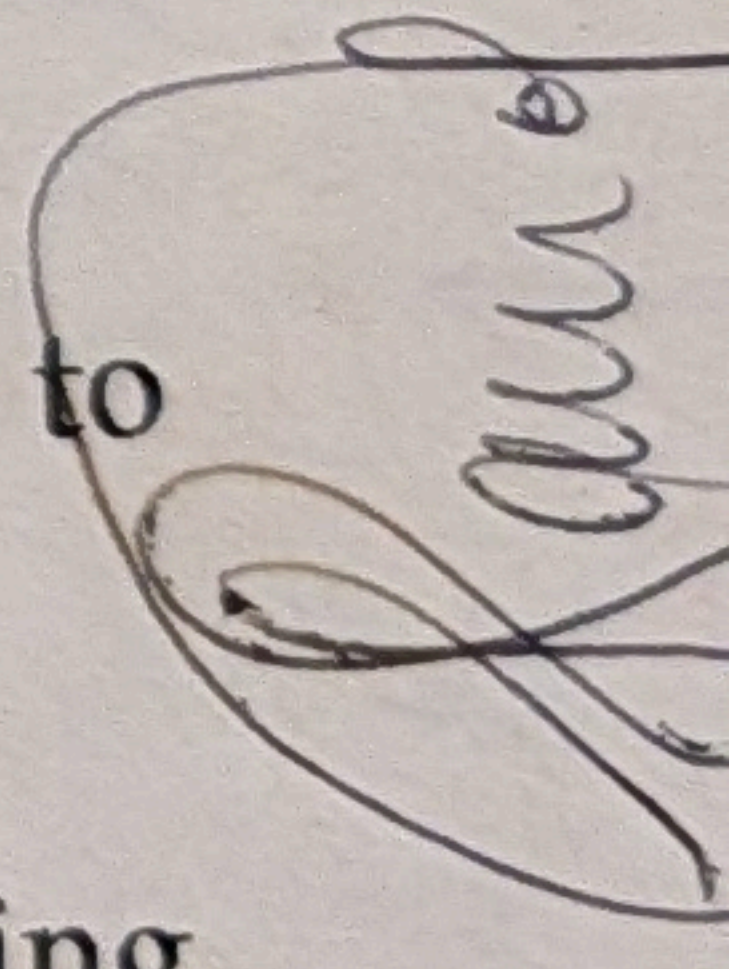
1. Municipal Treasurer (Chairperson);
2. Municipal Administrator (Vice Chairperson);
3. Municipal Accountant (Member);
4. Executive Director of the BEST (Member); and
5. Chairperson of the Sangguniang Bayan Committee on Transportation and Communication (Member).

Section 112. DUTIES AND POWERS OF THE AUCTION COMMITTEE; GENERAL GUIDELINES OF AUCTION. - (a) The Municipal Auction Committee shall formulate the rules and guidelines subject to the existing laws, rules and regulations to include the following for the disposition of the impounded vehicle:

1. The Municipal Auction Committee shall fix the time and place of the public sale where all concerned and interested parties may participate in the bidding and shall cause such notice of time and place to be

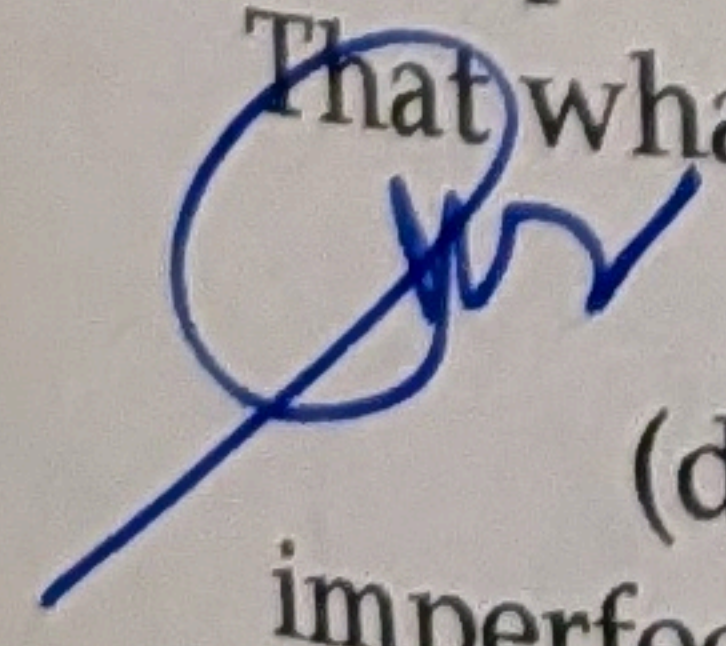


published once a week for three (3) consecutive weeks in a newspaper of local circulation.

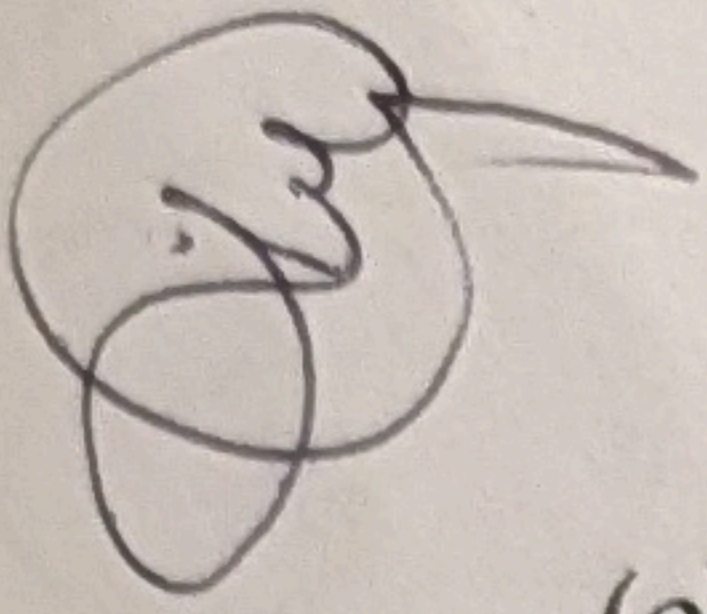
2. No prospective bidder shall be allowed to participate unless he/she first registers with the Municipal Auction Committee. It shall be the duty of the Municipal Auction Committee to provide all details to the prospective bidder at least three (3) days prior to the scheduled bidding.
 3. The minimum bid price shall not be less than the total fees and other charges which shall be ascertained by the Municipal Auction Committee, in addition to the fines and penalties provided for under this Code.
 4. In case only one (1) bidder had participated, the same shall be automatically awarded to him/her: *Provided*, That where failed bidding has occurred twice, the Municipal Government shall have the right to take possession of all vehicles.
 5. During the auction, the Municipal Auction Committee through the Chairperson shall declare the bidding open and all bidders present shall be furnished with a list and description of the vehicles subject for bidding.
 6. The Municipal Auction Committee through the Chairperson shall announce that he/she has accepted the final and highest offer by declaring that the bidding is completed, thereby closing the bidding to all other offers.
 7. Winning bidders shall immediately deposit twenty percent (20%) of the amount bid and shall have three (3) days to perfect the auction sale by paying the balance. Bids not perfected after three (3) days shall be cancelled and the initial deposit shall be forfeited in favor of the Municipal Government.
 8. In all cases the Municipal Government shall have the right to participate in the bidding.
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(b) Vehicles sold at public auction shall be taken out of the impounding area by the winning bidder within seven (7) days from date of auction.

(c) After the public sale, the proceeds shall be applied to all liens, fines, fees, penalties and such charges like the cost of publication of notice: *Provided*, That whatever is the remainder shall be returned to the former owners.



(d) All vehicles which are unsold or vehicles covered by failed bidding, imperfect or nullified bids shall be disposed of accordingly pursuant to guidelines to be set by the Municipal Auction Committee in auctioning all confiscated and impounded vehicles. Serviceable vehicles may be appropriated and used by the Municipal Government.



(e) The auctioned vehicles shall be auctioned on an "as-is-where-is" basis and neither the auctioneer nor the Municipality may be held liable for any defect on the vehicles which may be sold. If for any reason whatsoever, after the vehicles are bid and sold, the auctioneer is unable to make available of the same because of natural or fortuitous event, the auctioneer's only liability, if any, is to return the money actually paid thereof.

(f) After the bidding, the Municipal Auction Committee shall issue a Certificate of Sale, duly signed by its members and the same shall serve as basis for registration at the LTO. The Chairperson of the Municipal Auction Committee shall report to the Municipal Mayor and to the Sangguniang Bayan.

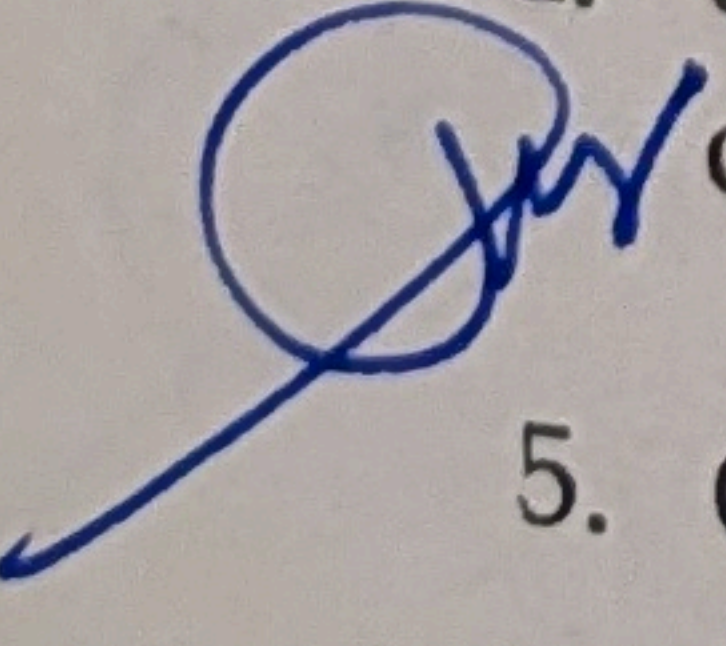
(g) All qualified participants in the bidding of impounded vehicles for disposal shall pay a registration fee in the amount of Five Hundred Pesos (PhP 500.00) per bid.

ARTICLE XIII VIOLATIONS AND PENALTIES

Section 113. LIABILITY UNDER REPUBLIC ACT NO. 4136 - Any person who commits an offense which is punishable under the provisions of this Code but not punishable under Republic Act No. 4136 otherwise known as the "Land Transportation and Traffic Code," shall be penalized only under the provisions hereof. If the offense committed is punishable both under the provisions of this Code and that of Republic Act No. 4136 as amended, it shall be prosecuted only under either of the two (2) but not in both.

Section 114. LIABILITY UNDER OTHER PENAL PROVISIONS - The provision of the proceeding Section notwithstanding any conviction of any person for any offenses under this Code shall not bar prosecution for any other offenses which may have been committed simultaneously by such person.

Section 115. TRAFFIC INFRACTIONS IN ACCORDANCE WITH REPUBLIC ACT NO. 4136. - (a) In relation to the provisions of Republic Act No. 4136, otherwise known as the "Land Transportation and Traffic Code," the following shall be considered traffic violations and/or offenses:

1. Driving without a valid driver's license;
 2. Failure to show or surrender license;
 3. Permitting an unlicensed or unauthorized person to drive;
 4. Operation of a motor vehicle not in conformity with its registered classification;
 5. Operation of a currently registered motor vehicles without proper number plates or plate number visibly attached thereto;
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6. Lending one's driver's license;

7. Failure to show or carry registration;

8. Operation of an unregistered motor vehicle or motor vehicle with delinquent, suspended or invalid registration;

9. Driving a motor vehicle and/or trailer combination exceeding eighteen (18) meters in overall projected length, including any load carried on such vehicle and trailer;

10. Driving articulated vehicles drawing or pulling a trailer and/or a vehicle already drawing a trailer shall draw another; and

11. For public utility vehicles, invalid or no franchise; and driving as colorum or in out-of-line route.

(b) Any person who violates any provision of this Section shall be meted for every infraction with a fine of Five Hundred Pesos (PhP 500.00) or imprisonment of six (6) months or both at the discretion of the court.

Section 116. RECKLESS DRIVING. - (a) Reckless driving includes, but shall not be limited to, the following:

1. Cutting/swerving in and out of the traffic lanes;

2. Cutting corner or blind curve;

3. Cutting in front of another moving vehicle;

4. Making "U" turn on the approach or on top of a bridge or elsewhere but not at street intersections;

5. Passing or overtaking on curves, at intersections and approaches of bridges, hills and the like;

6. Racing on the roads or streets;

7. Sudden stopping without justifiable reasons;

8. Coming out of side streets or driveways without precaution;

9. Failure to slow down upon entering a "thorough street";

10. Failure to consider proper clearance when overtaking;

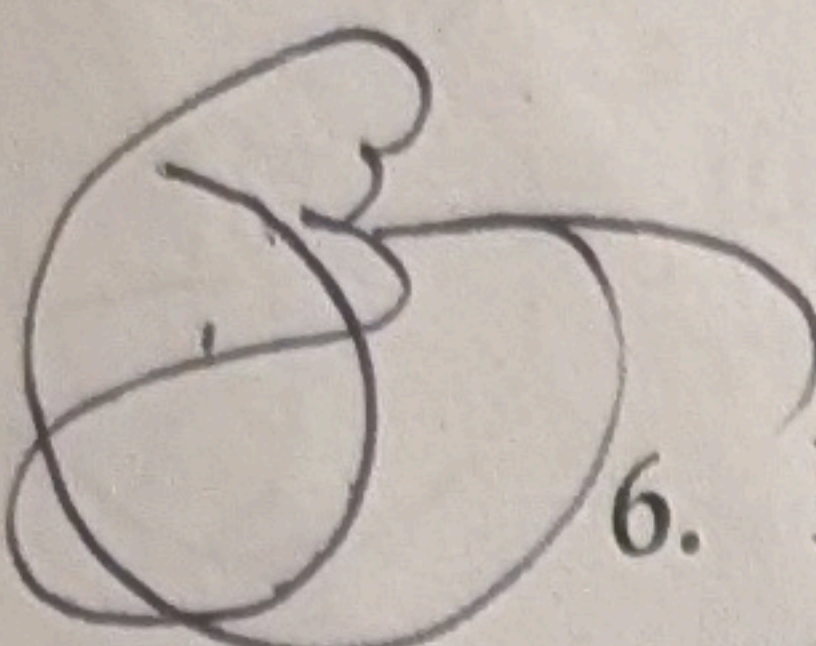
11. Failure to observe right hand rule to yield the "right of way" at highway intersection;

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12. Driving on the wrong side of the street or road;
 13. Backing against the flow of traffic;
 14. Over speeding or driving beyond the prescribed speed limits;
 15. Running down a legitimately established barricade;
 16. Turning from wrong lane;
 17. Improper start or revving from parked position;
 18. Driving without lights during the hours prescribed by law;
 19. Driving against "one way" streets;
 20. Driving or crossing the safety islands not intended for motor vehicles;
and
 21. Disregarding automatic signaling devices or lights or any traffic signs,
beating the red light of a traffic signaling device;
 22. Driving over the speed limit;
 23. Driving without helmet and/or seatbelt; and
 24. Using cellular/mobile phones while driving.

(b) Any person who violates any provision of this Section shall be meted for every infraction with a fine of Two Hundred Fifty Pesos (PhP 250.00) or imprisonment of not exceeding thirty (30) days or both at the discretion of the court.

Section 117. OBSTRUCTION. - (a) No driver shall obstruct or cause the obstruction of the smooth flow of traffic through the commission of acts which includes, but not limited to, the following:

1. Parking diagonally on the roadway;
2. Driving extremely and unnecessarily slow so as to the movement of the motor vehicle following behind;
3. Loading or unloading of cargoes or passenger in such a manner that the vehicle following behind cannot pass through;
4. Changing flat tire in the middle of the road or in any portion thereof which block the path of the passing or incoming vehicle;
5. Leaving unattended in the roadway or portion thereof a stalled vehicle;



6. Making repairs of mechanical defects in the middle or portion of the roadway;

7. Double parking which obstruct the smooth flow of traffic;

8. Illegal parking/terminal; and

9. Loading and unloading at prohibited areas or zones

(b) Any person who violates any provisions of this Section shall be meted for every infraction with a fine of Two Hundred Fifty Pesos (PhP 250.00) or imprisonment of not exceeding thirty (30) days or both at the discretion of the court.

Section 118. OTHER VIOLATIONS. - (a) Other violations shall include, but shall not be not limited to, the following:

1. Operation of a motor vehicle without horns or with horns making startling sound;

2. Operation of a motor vehicle equipped with unauthorized siren;

3. Operation of a motor vehicle without proper headlights, tail lights or windshield wiper;

4. Failure to display a red flag or light at rear end of the load which extended beyond the projected length of the vehicle;

5. Loading or unloading passengers while motor vehicles is in motion;

6. Operation of a motor vehicle with glaring lights and/or failure to dim the lights;

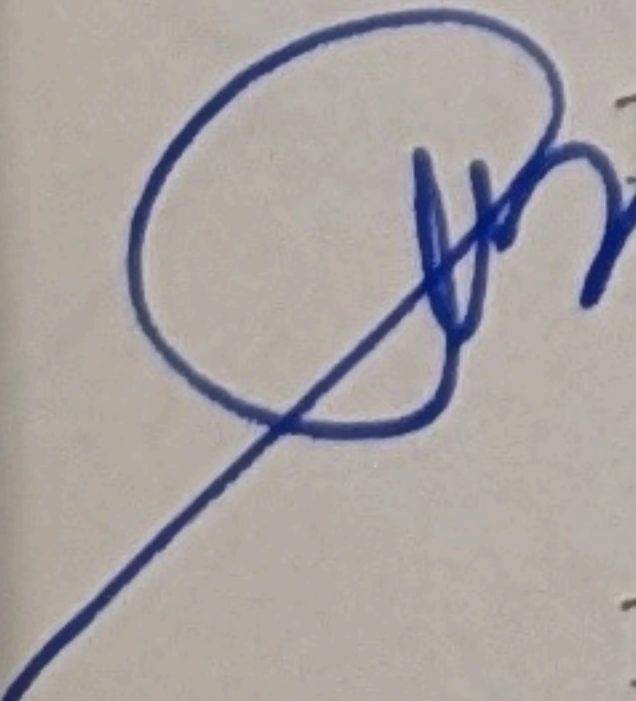
7. Operation of a motor vehicle with inadequate or inefficient safety devices and/or accessories;

8. Failure to post bond when required under the law;

9. Failure to observe substantial compliance imposed by law in case of accidents;

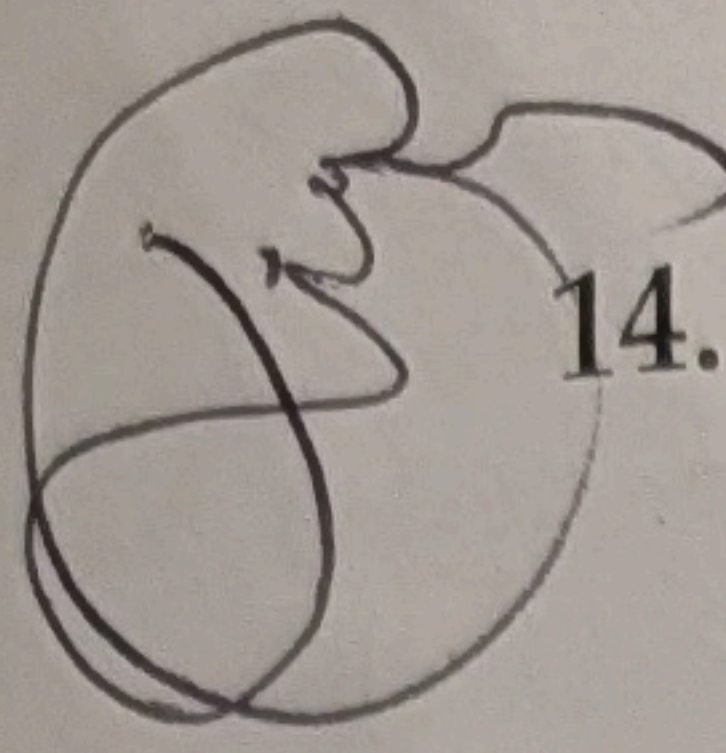
10. Failure to give way to properly overtaking vehicle;

11. Failure to dim headlights when necessary;



12. Failure to give way to police vehicle, fire vehicle, ambulance or barangay patrol in emergency situation;

13. Discourteous or arrogant behavior;



14. Illegal overtaking, overtaking at unsafe distance, cutting an overtaken vehicle;

15. Illegal turning at intersections;

16. Overtaking in places with road sign "no overtaking zone";

17. Illegal overtaking of school buses or vehicles and church buses or day care program buses or vehicles;

18. Failure to yield the right of way when it is needed;

19. Failure to stop before traversing a 'thorough street' or railroad crossing;

20. Failure to give proper signal before stopping or turning from a direct line;

21. Driving in places or roads where the vehicle being driven are prohibited to enter or make access or where the ban on such vehicle is observed or mandated;

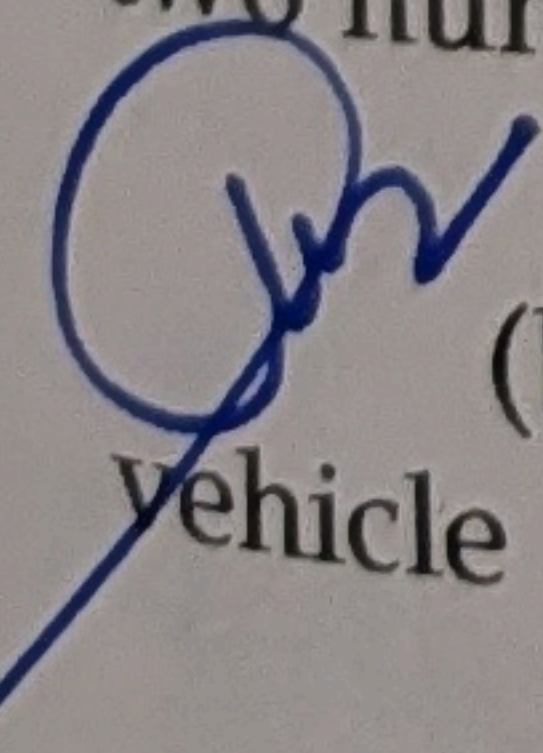
22. For public utility drivers, wearing *sando* or undershirts and / or slippers while driving; and

23. For public utility drivers, failure to post or display the following inside the vehicle:

- Driver's identification card;
- BTMO or BEST Office contact number;
- Bustos Police contact number; and
- Fare matrix.

(b) Any person who violates any provision of this Section shall be meted for every infraction with a fine of Two Hundred Fifty Pesos (PhP 250.00) or imprisonment of not exceeding thirty (30) days or both at the discretion of the court.

Section 119. GENERAL PENAL PROVISIONS. - (a) Any person who violates any provision of this Code in which no penalty is specified therein, the penalty shall be payment of fine of not less than Five Hundred Pesos (PhP 500.00) but not more than Two Thousand Five Hundred Pesos (PhP 2,500.00) or imprisonment of not less than one (1) month but not more than three (3) months or community service of not less than one hundred (100) but not more than one two hundred (200) hours or all at the discretion of the court.



(b) In addition, the court may order that the convicted person's motor vehicle or vehicles be impounded or immobilized for a period not to exceed

thirty (30) days and that the convicted person pay all towing, impoundment, and storage fees or other immobilization costs.

Section 120. PROCEDURE ON APPREHENSION. - (1) The duly authorized BEST Officer shall apprehend the violator by confiscating the driver's license, and in lieu thereof, he/she shall issue an Ordinance Violation Receipt (OVR) as a temporary receipt for seventy two hours (72) hours.

(2) The erring driver shall pay in the Office of the Municipal Treasurer the corresponding fine imposed herein.

(3) A surcharge of ten pesos (PhP 10.00) per day shall be imposed for failure to pay the corresponding fine within seventy two (72) hours after confiscation of the license. Thirty (30) days thereafter, the BTMO shall institute appropriate court action for unredeemed licenses.

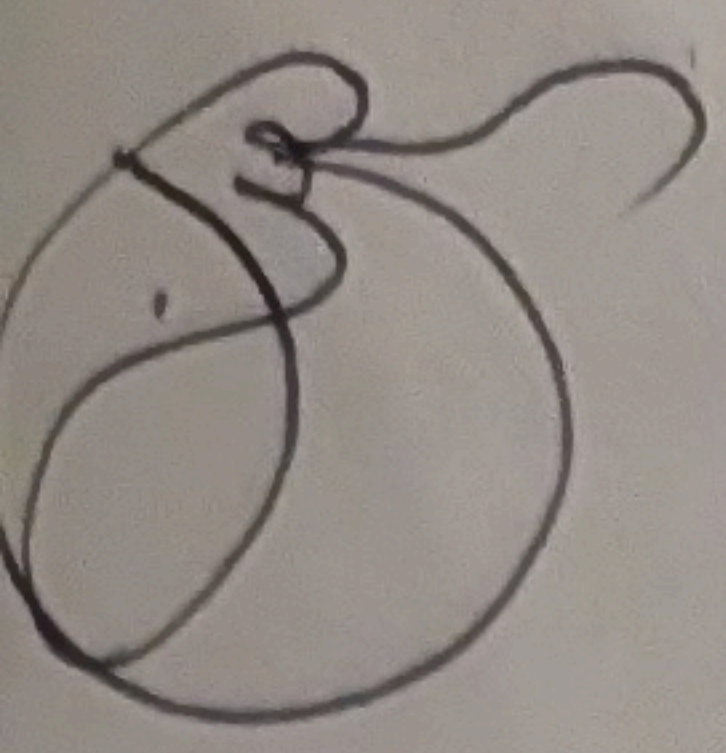
Section 121. TIME TO FILE APPREHENSION PROTEST. - The period given to traffic violators in which to file their apprehension protest are as follows:

1. A traffic violator who has been issued an Ordinance Violation Receipt (OVR) shall be given three (3) working days upon apprehension in which to file with the BEST his/her apprehension protest duly addressed to the BTMO.
2. Complaints or protest shall be filed to include all documentary evidence.
3. The Bustos Enforcement and Safety Team (BEST) shall immediately forward the apprehension protest to the Bustos Traffic Management Office (BTMO).
4. Failure to comply with the provisions of the above items shall be construed as waiver of complainant's right to protest.

Section 122. PERIOD TO DECIDE. - Apprehension protest shall be heard and decided by the Bustos Traffic Management Office (BTMO) within fifteen (15) working days from date of receipt of the protest. Decisions made by the BTMO shall be final and executory.

Section 123. ADDITIONAL SANCTION. - A corresponding complaint shall be filed at the Land Transportation Office (LTO) by the BTMO for possible suspension or revocation of the violator's driver's license without prejudice to the filing of the corresponding criminal charge before the appropriate court or office for deliberate refusal to pay the fine.

Section 124. ISSUANCE OF ORDINANCE VIOLATION RECEIPT (OVR). - An Ordinance Violation Receipt (OVR) shall be issued by the BEST Officers. The BTMO shall issue its design and contents, and shall be in charge of its publication.



Section 125. DESIGNATION OF BARANGAY OFFICIALS. - The BTMO may designate Punong Barangays and Barangay Police Executive Officers of this Municipality to issue OVRs in conformity to this Code and to the implementing rules and regulations hereof.

**ARTICLE XIV
FINAL PROVISIONS**

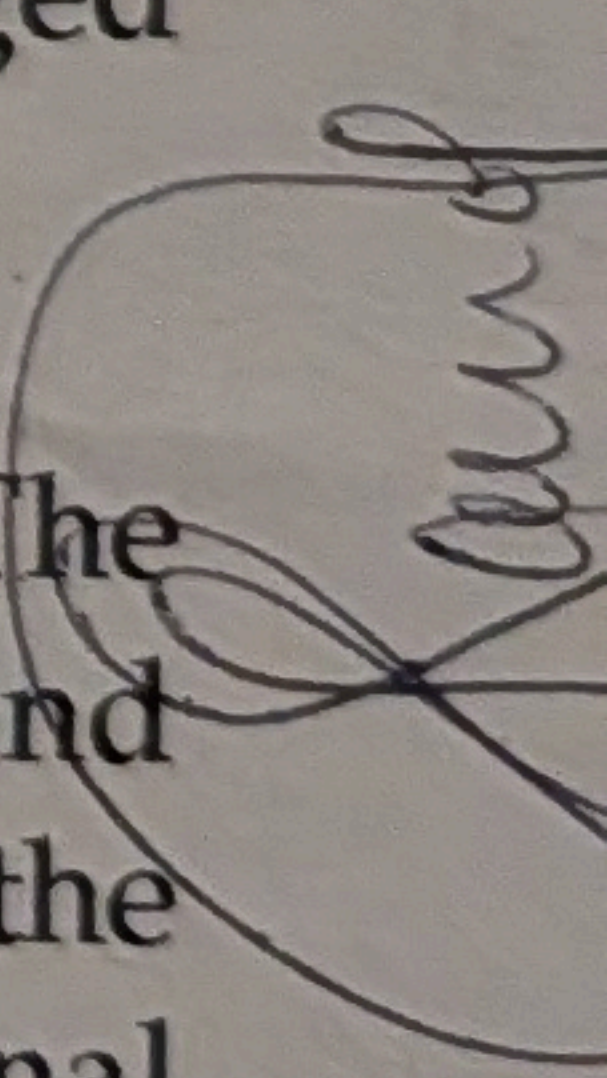
Section 126. SEPARABILITY CLAUSE. - If, for any reason, any provision, section or part of this Code shall be declared not valid by a court of competent jurisdiction or suspended or revoked by the authorities concerned, such judgment shall not affect or impair the remaining provisions, sections or parts of this Code which shall continue to be in full force and effect.

Section 127. APPLICABILITY CLAUSE. - All other related matters not specifically provided in this Code shall be governed by the pertinent provisions of existing applicable laws or ordinances.

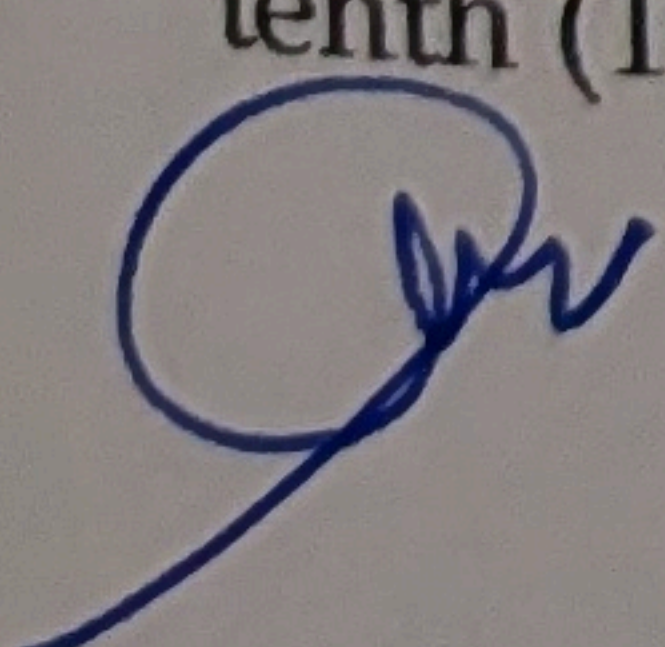
Section 128. REPEALING CLAUSE. - All ordinances, rules and regulations, or parts thereof, in conflict with, or inconsistent with any provisions of this Code are hereby repealed or modified accordingly: *Provided, That:*

1. All ordinances, rules and regulations, or parts thereof, not in conflict with this Code shall remain in full force and effect unless otherwise amended, modified or repealed by another ordinance.
2. Promulgations not inconsistent herewith regarding the designation of one-way streets, prohibition of entry or access in roads, designation of stopping areas, parking areas, loading and unloading areas, truck bans, tricycle bans, public utility vehicle terminal areas, and such other promulgations or issuances concerning the use of public roads made prior to the enactment of this Code shall, nevertheless, be observed and remain in full force and effect unless repealed, altered or changed by the BTMO.

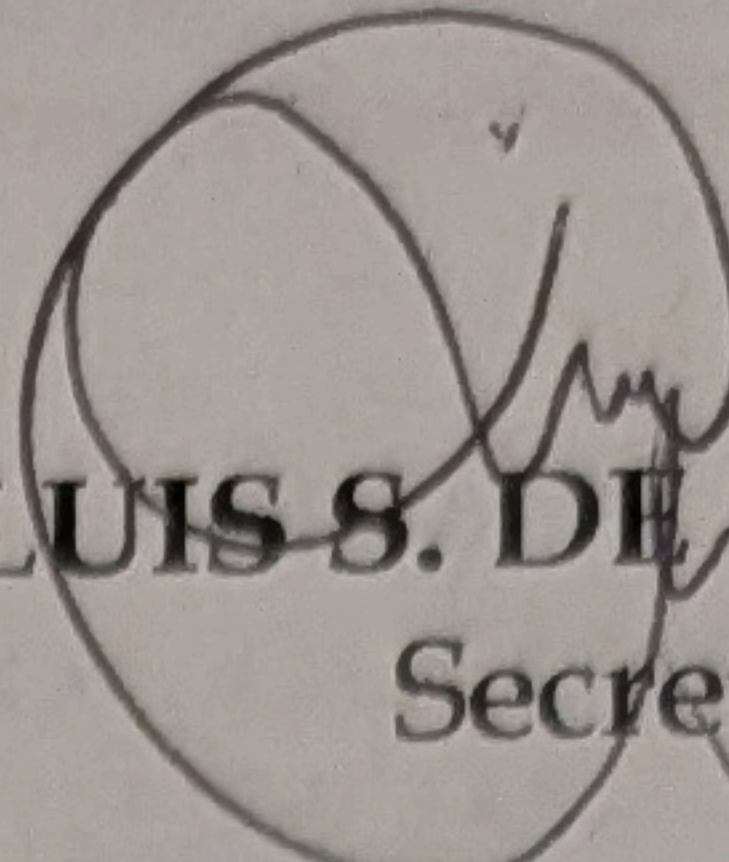
Section 129. IMPLEMENTING RULES AND REGULATIONS - The BTMO is hereby enjoined to issue the corresponding implementing rules and regulations after the approval of this Code within ninety (90) days after the enactment hereof. It shall have the power to issue from time to time additional rules and regulations to further strengthen this Code.



Section 130. EFFECTIVITY. - This Ordinance shall take effect on the tenth (10th) day after posting in three (3) conspicuous areas in the Municipality.

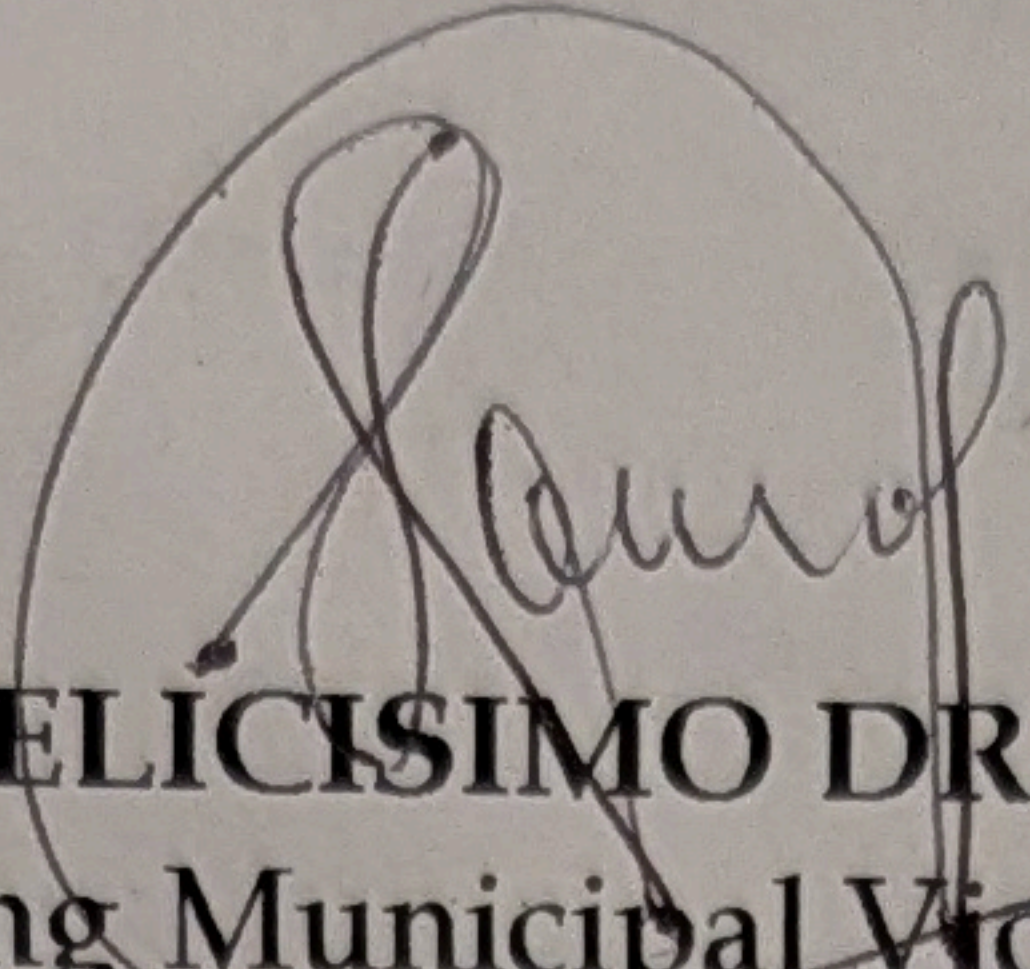


ENACTED by the Sangguniang Bayan during its regular session held this
04 February 2008.



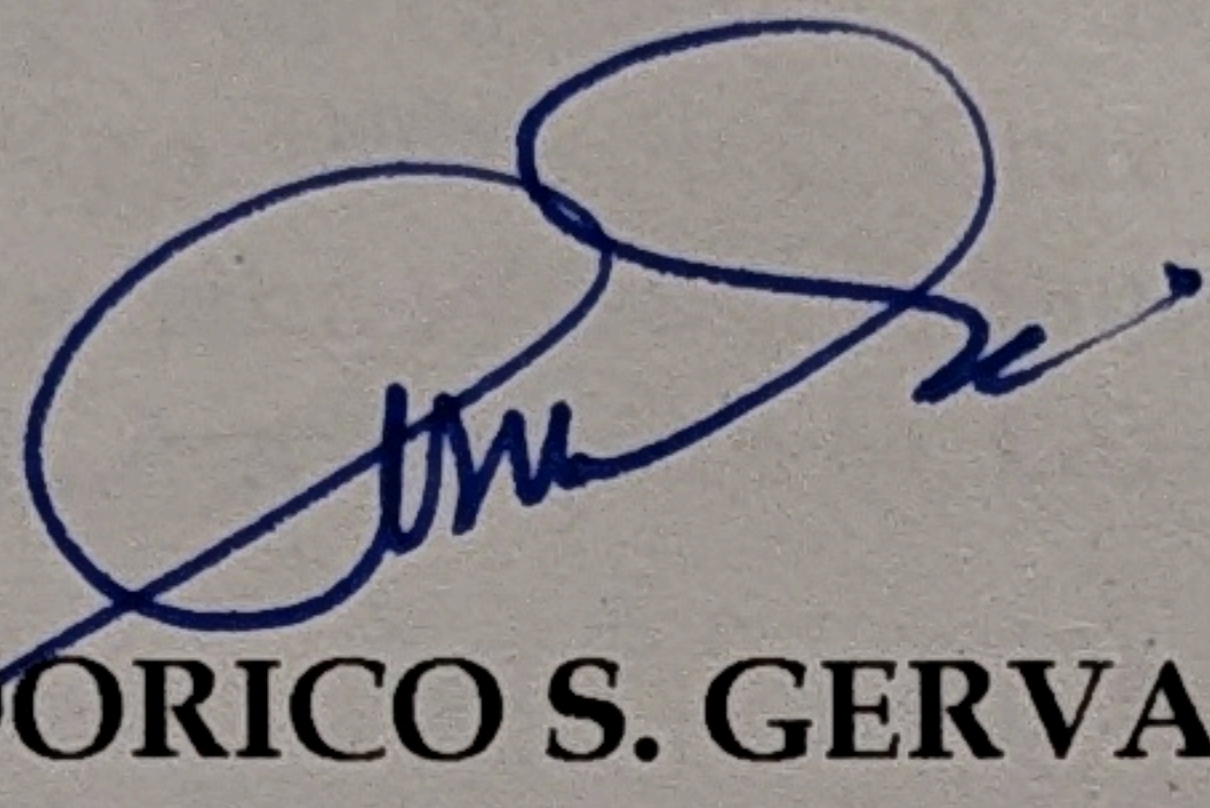
LUIS S. DEL GUZMAN
Secretary

ATTESTED:



FELICISIMO DR. RAMOS
Acting Municipal Vice-Mayor and
Presiding Officer of the Sangguniang Bayan

APPROVED:



TEODORICO S. GERVACIO
Acting Municipal Mayor