

Republic of the Philippines
QUEZON CITY COUNCIL

Quezon City
20th City Council

PO20CC-288

78th Regular Session

ORDINANCE NO. SP- 2788, S-2018

AN ORDINANCE PROHIBITING THE DRIVER OF PUBLIC AND PRIVATE SCHOOL TRANSPORT SERVICES FROM ALLOWING STUDENTS TO RIDE OR BOARD ON THEIR VEHICLES WHEN THERE ARE NO MORE PROPER SEATS TO ACCOMMODATE THEM SAFELY, AND FOR OTHER PURPOSES.

Introduced by Councilor ERIC Z. MEDINA.

Co-Introduced by Councilors Anthony Peter D. Crisologo, Lena Marie P. Juico, Elizabeth A. Delarmente, Victor V. Ferrer, Jr., Alexis R. Herrera, Precious Hipolito Castelo, Voltaire Godofredo L. Liban III, Ramon P. Medalla, Ranulfo Z. Ludovica, Estrella C. Valmocina, Roderick M. Paulate, Allan Benedict S. Reyes, Gian Carlo G. Sotto, Kate Abigael G. Coseteng, Franz S. Pumaren, Eufemio C. Lagumbay, Marvin C. Rillo, Raquel S. Malañgen, Irene R. Belmonte, Marra C. Suntay, Hero Clarence M. Bautista, Karl Edgar C. Castelo, Godofredo T. Liban II, Andres Jose G. Yllana, Jr., Allan Butch T. Francisco, Marivic Co-Pilar, Melencio "Bobby" T. Castelo, Jr., Rogelio "Roger" P. Juan, Diorella Maria G. Sotto, Donato C. Matias, and Noe Lorenzo B. Dela Fuente III.

WHEREAS, the owners or operators of public and private school transport services are granted the privilege to operate motor vehicles for hire of student's subject to the condition that said vehicles met the standards of convenience and public safety;

WHEREAS, it has been observed, however, that some public and private school transport services continue to accommodate or allow student-passengers to board despite the lack of available seats, thereby forcing the students to stand-up, hitch or hang on the outside or the rear-end of the school services to their detriment;

WHEREAS, most of the students standing-up, hitching or hanging on the outside or the rear end of the school services are young who are desiring to reach their school destinations on time;

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WHEREAS, such practice of allowing student-passengers to board or ride in public or private school transport services despite the lack of available seats does not only compromise public safety and convenience, but constitute an utter disregard of the law particularly the prohibition on overloading of passengers;

WHEREAS, in order to promote public safety and prevent the occurrence of road accidents, there is an imperative need to prohibit the drivers of public and private school transport services from allowing students to board on their vehicles in the absence of available and convenient seats;

WHEREAS, under Section 16 of Republic Act No. 7160, otherwise known as the Local Government Code of 1991, "Every local government unit shall exercise the powers expressly granted, those necessarily implied therefrom, as well as powers necessary, appropriate, or incidental for its efficient and effective governance, and those which are essential to the promotion of the general welfare. x-x-x-".

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF QUEZON CITY IN REGULAR SESSION ASSEMBLED:

SECTION 1. The driver of public and private school transport services are hereby prohibited from allowing students to ride or board on their vehicles when there are no more proper seats to accommodate them safely.

SECTION 2. For the purpose of this Ordinance, the words "Public and Private School Transport Service" refer to any motor vehicle owned by or registered in the name of the government or private person with a franchise to engage in transporting students to and from school.

SECTION 3. A violation of this Ordinance shall be penalized as follows:

First Offense : Fine of Two Thousand Pesos
(Php2,000.00) or Community Service
of (5) five days;

Second Offense : Fine of Three Thousand Pesos
(Php3,000.00) or Community
Service of (10) ten days;

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Third Offense : Fine of Five Thousand Pesos (Php5,000.00) or an Imprisonment of (1) one year, or both such Fine and Imprisonment at the Discretion of the Court.

SECTION 4. If any provision or part hereof is held invalid or unconstitutional, the remainder of the ordinance or the provision not otherwise affected shall remain valid and subsisting.

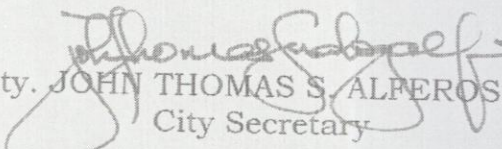
SECTION 5. Any city ordinance, resolution, rules and regulations or administrative issuance contrary to or inconsistent with the provisions of this Ordinance is hereby repealed, amended or modified accordingly.

SECTION 6. This Ordinance shall take effect immediately upon its approval.

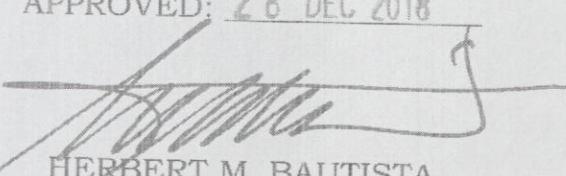
ENACTED: November 19, 2018.


MA. JOSEFINA G. BELMONTE
City Vice Mayor
Presiding Officer

ATTESTED:

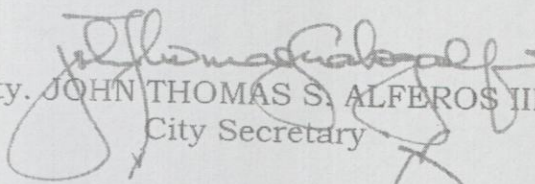

Atty. JOHN THOMAS S. ALFEROS III
City Secretary

APPROVED: 28 DEC 2018


HERBERT M. BAUTISTA
City Mayor

CERTIFICATION

This is to certify that this Ordinance was APPROVED by the City Council on Second Reading on November 19, 2018 and was PASSED on Third/Final Reading on December 3, 2018.


Atty. JOHN THOMAS S. ALFEROS III
City Secretary