



Republic of the Philippines
QUEZON CITY COUNCIL

Quezon City
22nd City Council

PO22CC-241
PO22CC-241-A

76th Regular Session

ORDINANCE NO. SP- **3333**, S-2024

AN ORDINANCE DECLARING ROAD RAGE IN QUEZON CITY UNLAWFUL, PROVIDING PENALTIES THEREFOR, AND FOR OTHER PURPOSES

Introduced by Councilors EDGAR "Egay" G. YAP, TATAY RANNIE Z. LUDOVICA, RAM V. MEDALLA, AIKO S. MELENDEZ and DOROTHY A. DELARMENTE, M.D.

Co-Introduced by Councilors Bernard R. Herrera, Tany Joe "TJ" L. Calalay, Joseph P. Juico, Nikki V. Crisologo, Charm M. Ferrer, Fernando Miguel "Mikey" F. Belmonte, Candy A. Medina, Aly Medalla, Dave C. Valmocina, Kate Galang-Coseteng, Geleen "Dok G" G. Lumbad, Albert Alvin "Chuckie" L. Antonio III, Don S. De Leon, Wencerom Benedict C. Lagumbay, Atty. Anton L. Reyes, Imee A. Rillo, Raquel S. Malañgen, Nanette Castelo-Daza, Marra C. Suntay, Joseph Joe Visaya, Alfred Vargas, MPA, Shaira "Shay" L. Liban, Mutya Castelo, Maria Eleanor "Doc Ellie" R. Juan, O.D., Kristine Alexia R. Matias, Eric Z. Medina, Emmanuel Banjo A. Pilar, Vito Sotto Generoso, Victor "Vic" Bernardo and Jose Maria M. Rodriguez

WHEREAS, at present, there is no specific law in the Philippines that penalizes "road rage." What the law currently penalizes is merely the act of aggressive driving which is considered a traffic violation. Erring drivers can be charged under relevant sections of Republic Act No. 4136, also known as the Land Transportation and Traffic Code;

WHEREAS, road rage incidents, which are commonly caused by aggressive, hostile, wild gesture, verbal insults, violent behavior, and reckless driving of motorists and other road users, are almost the content of daily headlines and these are perceived to be the number one traffic safety concern; incidents of road rage are contributory to heightening the already horrible traffic conditions not only in Quezon City but in Metro Manila;

WHEREAS, road rage, which is also a threat to public safety, does not only create vehicular traffic and inconvenience to motorists and commuters alike, this could potentially result to damage to vehicles, physical injuries to motorists, passengers and pedestrians alike, uncontrollable fear and even sudden and unexpected death/s;

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WHEREAS, road rage may be considered a mental health issue brought about by the driver's habitual disregard to time and being unmindful of others causing them to rush on the road, becoming moody and confrontational, inducing stress, and unreasonable anger;

WHEREAS, the State, as *parens patriae*, has a correlative duty to protect its people from any act inimical to their interest, thus the need to institute preventive measures to quell the possible occurrence or recurrence of road rage incidents;

WHEREAS, according to San Jose Del Monte City Representative, Florida Robes, based on a survey, 8 out of 10 drivers admit to exhibiting aggressive behavior at least once a year, while 9 out of 10 drivers think of aggressive driving as a threat to their personal safety;

WHEREAS, Top Gear Magazine has documented several road rage incidents over the years, hereby quoted in full, as follows:

Edgardo Canizares and Manuel Hernandez Jr. – On October 2, 2007, Edgardo Canizares was travelling with a passenger along Gen. Roxas Street near the corner of Shaw Boulevard when his Nissan Cefiro almost hit the car of Manuel Hernandez Jr., a Pasig City Hall Legal Officer and nephew of a Sandiganbayan Justice. Hernandez was reportedly driving against the flow of traffic, prompting an angry Canizares to get out of his car and insult Hernandez. Hernandez pulled out a gun and shot Canizares four times and his passenger, twice.

Jay Llamas – Llamas was traversing the busy northbound lane of Taft Avenue on January 10, 2003 when his Toyota Corolla was bumped by a motorcycle as they neared the Buendia intersection. Llamas and the unnamed motorcycle driver got into a heated argument which ended when the suspect drew a gun and shot Llamas at close range three times — twice in the head and once in the body. The suspect then hailed a parked tricycle and fled the scene.

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Feliber Andres and Inocencio Gonzales – Andres’ family’s All Saints’ Day eve pilgrimage to the Loyola Memorial Park in Marikina took a ghastly turn when their vehicle nearly collided with the one driven by Inocencio Gonzales. Noel Andres tailed Gonzales’ vehicle first before he cut his path which resulted in confrontation between the two motorists. In the heat of the argument, Gonzales pulled out a gun and shot at Andres’ vehicle, hitting Andres’ pregnant wife – Feliber, their two-year old son, and their nephew. Feliber did not survive the attack but the doctors were able to save her baby. The son and the nephew were discharged from the hospital a few days later.

Eldon Maguan and Rolito Go – Eldon Maguan, a 25-year-old De La Salle University engineering student was driving his car down a one-way street in San Juan and nearly collided with Rolito Go’s vehicle, which was travelling the wrong way. The businessman got off his car and shot Maguan who died a few days later.

Raul Bautista and Sowaib Salie – A traffic altercation in Imus, Cavite turned into a deadly family feud as it left six people dead. According to ABS-CBN report, the trouble started at a traffic jam on Nueno Highway in Imus as Salie repeatedly honked his vehicles’ horn at the car in front driven by Bautista. A confrontation erupted when both motorists arrived at the public market. Bautista then left the scene only to come back later with reinforcement in tow. A brief firefight erupted leaving six people dead, including Bautista, his two sons, and the family driver, Salie and his fellow trader Mahmud Sultan.

WHEREAS, the August 8, 2023 incident, involving a dismissed policeman Wilfredo Gonzales who pulled a gun on an unarmed cyclist near Welcome Rotonda in Quezon City, is just one of the many alarming road rage incidents in Quezon City;

WHEREAS, the City Council, in the exercise of its police power and in accord with the General Welfare Clause of the Local Government Code of 1991, may enact legislative measures to promote public order, safety and security.

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NOW, THEREFORE,

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

SECTION 1. SHORT TITLE. – This Ordinance shall be known and cited as the “Road Rage Prevention Ordinance” of Quezon City.

SECTION 2. DECLARATION OF POLICY. – It is the declared policy of Quezon City to promote public order, security and peace, to ensure the strict implementation of all existing laws, rules, and ordinances governing traffic rules, including policies relative to ensuring the safety and protection of pedestrians, commuters, passengers, drivers and motorcycle riders and cyclists, to establish policies to curb the occurrence of senseless violence in connection with road rage, to instill discipline, control and restraint on road users, in order to avoid the unnecessary and reprehensible evil that might be caused by reasons thereof, and to strengthen unity and understanding among its citizenry in order to prevent any act that will probably cause emotional distress, bodily harm, and loss of lives. Towards these ends, the City Government shall see to it that all acts that will cause imminent danger to public safety are prevented, and laws and city ordinances that will push for tranquility and peace are properly implemented, and road discipline and courtesy are observed.

SECTION 3. DEFINITION OF TERMS. – For purposes of this Ordinance, the following terms are defined as follows:

- a. **Road Rage** – refers to a constellation of thoughts, emotions, and behaviors that occur in response to a perceived unjustified provocation while driving. It includes a variety of aggressive, hostile and violent behaviors exhibited by the driver of a motor vehicle and/or bicycle. It also refers to any act or series of acts committed by a motorist, cyclist, commuter or passenger, and pedestrian that will cause irritation, provocation, insult, anger, wounded feelings, embarrassment, indignity and other analogous circumstances to other people while on public roads;
- b. **Motorists** – refer to any individual operating a motorized vehicle on public roads;
- c. **Driver** – refers to any person having control of the directional and motive power of a vehicle, every and any licensed operator of a motor vehicle;
- d. **Pedestrian** – refers to a person traveling by foot at a designated pedestrian lane/crossing. It includes Persons with Disabilities (PWDs) traveling on a wheelchair or mobility device;

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- e. **Cyclist** – refers to a person operating a bicycle on public roads. This will also include the so-called bike riders;
- f. **Reckless Driving** – refers to the operation of a motor vehicle, in violation of traffic rules, at risk of harming others and with less than full attention, focus, and skill required of every driver;
- g. **Motor vehicle** – refers to any vehicle propelled by any power other than muscular power using the public highways, but excepting road rollers, trolley cars, street sweepers, sprinklers, lawn mowers, bulldozers, graders, fork-lifts, amphibian trucks, and cranes if not used on public highways, vehicles which run only on rails or tracks, and tractors, trailers and traction engines of all kinds used exclusively for agricultural purposes (R.A. No. 4136); It includes motorcycle and tricycle;
- h. **Commuter** – refers to a person who travels some distance to work, school, business, or other point of destination either on a regular or seldom basis. It is also called a passenger;
- i. **Lane-Splitting** – also known as lane-sharing, refers to a situation when a motorcycle or bicycle passes between two other vehicles traversing adjacent lanes in moving traffic; and
- j. **Provocative and Obscene Gestures** – refer to acts, bodily movements, hand signals, and facial and eyes expressions deliberately intended to excite or cause annoyance, anger, irritation, negative feelings, rage and strong antagonistic reaction and emotion from other drivers, motorists and pedestrians.

SECTION 4. OBJECTIVE. – The objective of this Ordinance is to prevent the occurrence of road rage incident in Quezon City in order to promote public order, safety and security, and to avoid bodily harm and unfortunate loss of lives.

SECTION 5. PROHIBITED ACTS. – For purposes of ensuring the safety and protection of pedestrians, commuters, passengers, drivers and motorcycle riders, and preventing the occurrence of senseless violence in connection with road rage, the following acts are prohibited:

- a. provocative and obscene gestures directed towards the other party concerned;

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- b. *verbal, non-verbal ridicule and vilification through any of the following acts:*
 - 1. *making fun or contemptuous imitating or making mockery whether in writing, words or action;*
 - 2. *uttering of slanderous and abusive statements;*
 - 3. *performing any act in public which incites hatred towards, serious contempt for, or severe ridicule of, a person;*
 - 4. *cursing or using bad language or any form of insult; and*
 - 5. *doing any other analogous act/s of ridicule at any time and place which could intimidate or result in loss of self-esteem of the person;*
- c. *physical attack and/or assault on another or an attempt thereof;*
- d. *any use of force against a person;*
- e. *toting and/or discharge of firearm for purposes of threatening and/or intimidating another;*
- f. *display of bladed weapon, rod, staff and wand for purposes of threatening or intimidating another;*
- g. *any forms of harassment that tends to annoy, harm or make the other person feel uncomfortable and unsafe;*
- h. *reckless driving;*
- i. *other analogous circumstances, including all other acts that may fall under the Revised Penal Code and Other Special Laws, as may be applicable;*
- j. *blocking traffic, inappropriate or sudden change of lanes or swerving, preventing drivers from changing lanes, cutting off other vehicles, over speeding, tailgating, erratic driving, slow driving in fast lanes, turning left and right without prior warning, entering an intersection or turning left and right while the traffic light is on red signal, motorcycle and bike lane splitting, and other forms of reckless driving; and*
- k. *unnecessary honking, using high-beam headlights while in front of other vehicles during nighttime, and use of muffler with excessive noise.*

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These acts are without prejudice to the filing in court of resultant criminal cases as defined in the Revised Penal Code and Special Penal Laws.

SECTION 6. POLICE VISIBILITY. – The Station Commanders of the Quezon City Police District (QCPD) shall deploy an adequate number of roving police personnel in traffic prone areas within their jurisdiction to serve as deterrent of any possible road incident.

SECTION 7. DUTY OF TRAFFIC ENFORCER. – It is the duty of any traffic enforcer, whether from a barangay, city, Metro Manila Development Authority (MMDA) or Philippine National Police (PNP) to immediately act in the event of any road rage incident, make a brief investigation, and apprehend the violator. In case of imminent danger or threat to life of parties involved, as well as the traffic enforcer, the help of a regular law enforcer assigned in the area may be sought.

SECTION 8. AMICABLE SETTLEMENT. – Amicable settlement between the parties involved may be allowed, provided it is in writing, and provided further that only those allowed by law to be compromised shall be subject to settlement. Such settlement shall be made in the presence of the investigating traffic enforcer who shall sign the document as witness thereof.

SECTION 9. PENALTIES. – Any person held liable under this Ordinance, for committing any of the Prohibited Acts under Section 5 hereof, shall be penalized with imprisonment for a period of not less than 60 days but not more than 1 year and/or a fine of not less than Php1,000.00 but not to exceed Php5,000.00, or both, at the discretion of the Court, without prejudice to any applicable criminal, civil or administrative actions that may be instituted under the provision of existing laws.

Provided that, in cases where the road rage incident resulted to damage to property or malicious mischief, physical injuries, threats, slander and/or defamation, the offender shall be meted the maximum penalty imposed under this Ordinance.

Provided further, that, if the damage to property or malicious mischief, physical injuries and threats is committed with the use of a deadly weapon or the aid of a paraphernalia, such as, but not limited to, wand, baton, stick, stone and other stuff made of strong material that could potentially harm another, the offender shall be meted the maximum penalty imposed under this Ordinance.

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Provided finally, that if on the occasion of the road rage incident, the offender has caused the death of another, he/she shall be prosecuted and penalized in accordance with the penalty provided under the Revised Penal Code.

SECTION 10. INDEPENDENT ACTION. – Nothing in this Ordinance shall preclude a victim of a Road Rage incident from instituting a separate civil, criminal, administrative or other legal action, as may be appropriate.

SECTION 11. MANDATORY ANGER MANAGEMENT SEMINAR. – In addition to the penalties, the offender shall be required to undergo a 1-day government-approved anger management program to be conducted by a trained mental health professional, preferably a government psychologist. This aims to address his/her aggressive behavior and prevent road rage incidents in the future.

SECTION 12. MANDATORY EDUCATION FOR OFFENDERS. – In addition to the penalties imposed and the mandated anger management program, the offender shall also be required to attend trainings and seminars on proper, safe and careful driving with the Land Transportation Office (LTO) or any LTO-accredited agency or entity authorized to conduct the same.

SECTION 13. PROHIBITED DEFENSE. – Being under the influence of alcohol, or any illicit drug, or any other mind-altering substance shall not be a defense under this Ordinance.

SECTION 14. IMPLEMENTING RULES AND REGULATIONS. – Within 6 months from the date of effectivity of this Ordinance, the Traffic and Transport Management Department (TTMD), together with the Department of Public Order and Safety (DPOS), in coordination with Task Force Disiplina (TFD), shall promulgate the necessary Implementing Rules and Regulations to implement the provisions of this Ordinance.

SECTION 15. REPEALING CLAUSE. – All existing ordinances, resolutions, local executive orders, rules and regulations, and other issuances or parts thereof which are inconsistent with the provisions of this Ordinance are hereby repealed or modified accordingly.

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SECTION 16. SEPARABILITY CLAUSE. – If, for any reason, parts or provisions of this Ordinance shall be held unconstitutional or invalid, other parts or provisions hereof which are not affected thereby shall continue to be in full force and effect.

SECTION 17. EFFECTIVITY CLAUSE. – This Ordinance shall take effect after its publication in a newspaper of general circulation, and after posting of copies in conspicuous locations within Quezon City.

ENACTED: August 12, 2024.


GLEN G. SOTTO
City Vice Mayor
Presiding Officer

ATTESTED:



ATTY. JOHN THOMAS S. ALFEROS, III
City Government Department Head III
(City Council Secretary)

APPROVED: SEP 23 2024


MA. JOSEFINA G. BELMONTE
City Mayor

CERTIFICATION

This is to certify that this Ordinance was APPROVED by the City Council on Second Reading on August 12, 2024 and was PASSED on Third/Final Reading on August 20, 2024.


ATTY. JOHN THOMAS S. ALFEROS, III
City Government Department Head III
(City Council Secretary)

