



QUEZON CITY COUNCIL

Quezon City
19th City Council

PO19CC-319

47th Regular Session

ORDINANCE NO. SP- 2373, S-2014

*ok
approved*

AN ORDINANCE AMENDING CERTAIN PROVISIONS OF ORDINANCE NO. SP-1444, S-2004, ENTITLED "AN ORDINANCE CREATING THE TRAFFIC MANAGEMENT CODE OF QUEZON CITY," SUBJECT TO ALL LAWS AND EXISTING RULES AND REGULATIONS.

Introduced by Councilor RAQUEL S. MALAÑGEN.

Co-Introduced by Councilors Anthony Peter D. Crisologo, Ricardo T. Belmonte, Jr., Lena Marie P. Juico, Alexis R. Herrera, Voltaire Godofredo L. Liban III, Roderick M. Paulate, Ranulfo Z. Ludovica, Ramon P. Medalla, Estrella C. Valmocina, Allan Benedict S. Reyes, Eufemio C. Lagumbay, Jaime F. Borres, Jesus Manuel C. Suntay, Vincent DG. Belmonte, Jessica Castelo Daza, Bayani V. Hipol, Godofredo T. Liban II, Allan Butch T. Francisco, Karl Edgar C. Castelo, Marivic Co-Pilar, Rogelio "Roger" P. Juan, Melencio "Bobby" T. Castelo, Jr., Donato C. Matias and Ricardo B. Corpuz.

WHEREAS, one of the inherent powers of the State is the police power identified by the Supreme Court in the case of *Edu vs. Ericta*, G.R. No. L-32096, October 24, 1970, as the state's authority to enact legislation that may interfere with personal liberty or property in order to promote the general welfare;

WHEREAS, while the police powers lies primarily with the national legislature, such power may be delegated to the President, administrative boards, as well as the lawmaking bodies of municipal corporations as in this case, the Quezon City Council;

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WHEREAS, Section 16 of Republic Act (R.A) No. 7160, otherwise known as the Local Government Code of 1991, provides that: "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. Within their respective territorial jurisdictions, local government units shall ensure and support among other things x x x preserve the comfort and convenience of their inhabitants";

WHEREAS, under the Local Government Code, Section 458 explicitly mentioned that the Sangguniang Panlungsod, as the legislative body of the city, shall enact ordinances for the general welfare of the city and its inhabitants pursuant to Section 16 of the Local Government Code of 1991 and in the proper exercise of the corporate powers of the city as provided for under Section 22 of the same, and shall approve ordinances which shall ensure the efficient and effective delivery of the basic services and facilities as provided under Section 17 of the same Code, and in addition to said services and facilities, the City Council shall regulate traffic on all streets;

WHEREAS, the government of Quezon City is committed to safeguard the well-being and safety of its constituency and is empowered, through its Sangguniang Panlungsod, to enact ordinances regulating traffic on all streets within its jurisdiction, including the adoption of programs and projects concerning road management pursuant to R.A. No. 7160 or the Local Government Code of 1991;

WHEREAS, there is a need to amend the aforesaid Quezon City Traffic Management Code in order to keep it up to date on recent developments regarding road traffic safety regulations and at the same time to be able to effectively meet the objectives behind the enactment of the same, one of which is to improve road safety. x

NOW, THEREFORE,

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

SECTION 1. Section 10 (2) (c) (i), Article IV, prescribing the rule on Obedience to Traffic Control Signals is hereby amended to read as follows:

- (i) a driver facing the traffic control signal shall not proceed straight ahead or turn left or right beyond the stop line, or in the absence of a stop line, shall not proceed straight ahead or turn left or turn right beyond the traffic control signal itself.

The City shall install and use Red Light Cameras that operate automatically day and night to be connected and activated to traffic lights enabling the capture of image(s) of vehicle(s) crossing the stop line on red signal.

Red light cameras shall be installed in strategic locations. Red light cameras shall operate twenty-four (24) hours a day and shall be activated and connected to traffic signals and enable it to capture images of vehicles crossing a yellow box or abutting a pedestrian lane. Provided, however, that the red light camera system shall comply with the following minimum standards:

- a. Red light cameras shall conform to internationally-accepted standards, such as those with proven and tested capabilities in the United States of America, Canada, Australia, Europe and other Asian countries.

- b. The system shall continuously monitor the traffic signal and the red light camera shall be triggered by any vehicle entering a yellow box, an intersection or a pedestrian lane when the traffic signal turns red.

- c. A series of photographs and/or video footage showing the red light camera violator prior to entering a yellow box, an intersection or a pedestrian lane shall be recorded and accepted as evidence of the violation.
- d. Red light cameras shall record the license plate, date and time of day and elapsed time upon the commencement of red signal to cause a moving vehicle to come to a full stop.
- e. In all areas with red light cameras, stop lines must be clearly and legibly marked.
- f. The minimum time allotted for a yellow warning sign is hereby set at four (4) seconds before the traffic signal turns red.
- g. A motorist who drives into a yellow box, intersection or pedestrian lane after a traffic signal turns red shall be considered a violator under this Section and shall be referred to as a "Red Light Runner".
- h. A motorist who drove past the stop line before the red light camera and traffic signal applicable to him turns red, is not a Red Light Runner.
- i. Where expressly permitted by a traffic sign to turn right at any time with care, a motorist after executing a complete stop, may conduct his vehicle and enter the intersection and turn right with care even if the traffic signal applicable to him has turned red.
- j. All photographic and video evidence shall be reviewed by a competent authority.


SECTION 2. Section 10, Article IV, shall be amended further to include paragraph (3) which shall read as follows:

Article IV, Section 10 (3) IMPLEMENTATION OF THE NO CONTACT TRAFFIC VIOLATION APPREHENSION POLICY. In areas where red light cameras are installed and in operation, a no contact traffic violation apprehension system shall be implemented. An Ordinance Violation Receipt (OVR) shall be sent via registered mail to the registered owner of the vehicle. A copy of the photographic evidence shall be attached to the OVR. Upon receipt of the OVR, a Red Light Runner shall have a period of seven (7) working days within which to settle the penalties imposed under this Ordinance. The appropriate attached agency of the Department of Transportation and Communication (DOTC) shall likewise be provided with a copy of unredeemed OVRs.

SECTION 3. Section 10 is amended to include SECTION 10-A to provide for violation of Article IV, Section 10 (2) (c) (i) pertaining to Red Light Cameras to read as:

ARTICLE IV, Section 10-A PENALTY FOR VIOLATION OF RED LIGHT CAMERA – Registered owners of vehicles including Public Utility Vehicles (PUVs) found violating the red light camera system shall be fined Three Thousand Pesos (Php3,000.00) for each instance of violation and apprehension. Provided further, that the apprehended driver shall undergo a driver re-education seminar prescribed by the Quezon City Government.

SECTION 4. PAYMENT OF PENALTIES – Payment of penalties for OVR may be accepted in accordance with Ordinance No. SP-2228, S-2013 entitled, An Ordinance amending Ordinance No. SP-1508, S-2005, Authorizing the City Treasurer to accept as an alternative mode of payment for taxes and fees from taxpayers through the use of over the counter payments in accredited banks, internet banking, Automated Teller Machines and mobile money and other purposes and its Implementing Rules and Regulations. For this purpose, the Quezon City Information Technology Development Office (QC-ITDO) shall devise and implement the necessary mechanisms and systems for the efficient implementation of this Section.

SECTION 5. The rule on  a yellow box as prescribed under Section 23, Article V, is hereby amended to read as follows: ✓

"A portion of an intersection marked with a yellow box must always remain unobstructed and open for passage. A driver must not move his vehicle nor enter said yellow box if his exit road or lane from it is not clear, or if he cannot cross or execute a turning movement and go beyond the boundaries of the box in a manner that his vehicle will not block the flow of traffic. The time period within which a driver must be able to move his vehicle out of the yellow box is hereby set at not more than fifteen (15) seconds reckoned from the time the signal facing his direction of origin turns red. Violation of this rule is hereby declared as a serious traffic offense with a fine of P1,500.00."

SECTION 6. Section 76, ARTICLE XV, is hereby amended to read as follows:

"Section 76 – Lights on Moving Motor Vehicles – No person shall drive a motor vehicle or a combination of a motor vehicle and trailer between sunset and sunrise, unless the motor vehicle or combination is equipped with appropriate lamps and reflectors prescribed as mandatory by the LTO, to be carried by that vehicle or combination, and the lamps lighted, specifically, starting from 6:00 p.m. until 6:00 a.m. the following day. Provided, that violators of this Section shall be imposed a fine of P500.00."

SECTION 7. ARTICLE XVII, in relation to Section 93 regarding Truck Routes and Limited Truck Ban and Appendix VI hereof is hereby amended to read as follows:

"Section 93. Truck Routes and Limited Truck Ban- Cargo Trucks, gravel and sand trucks, cement mixers and other heavy cargo with eight (8) wheels and up or whose gross vehicle weights exceed 4,500 kilograms including tractor trailers or containerized haulers, shall only be allowed on any streets with two or more lanes, specified as truck routes in the amended Appendix V hereof, from nine

except on Sundays and holidays. Provided that, from five o'clock in the morning until nine o'clock in the evening, trucks covered by this provision are prohibited to pass and/or park in any street/s within this City."

Motor vehicles used in the delivery of construction materials such as, but not limited to sand and gravel, sacks of cement, steels and other materials of similar nature, whose destinations are not included in the "Truck Routes" specified in the amended Appendix V and during the restricted hours mentioned in the next preceding paragraph, shall seek permission from the Department of Public Order and Safety.

Refrigerated haulers containing perishable goods, oil tankers and motor vehicles described above being utilized for government projects shall be allowed to use this City's streets in the truck routes and restricted hours in accordance with the previous provisions of the QC Traffic Code. Provided that motor vehicles covered by this paragraph shall conspicuously post and display visibly the words "PERISHABLE GOODS" of "GOVERNMENT PROJECTS" in their windshields.

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

APPENDIX VI – Schedule of Fines and Penalties

Section 93. Violation of Limited Truck Ban
P5,000+ impounding.

SECTION 8. Section 102, ARTICLE XIX regarding PUBLIC UTILITY VEHICLE OPERATIONS, prescribing additional regulations for public conveyances for hire, relative to Rules on PUV Stops and Taxi Stands is hereby amended to read as follows: