QUEZON CITY COUNCIL

Quezon City
20th City Council

PO20CC-251

44th Regular Session

ORDINANCE NO. SP-2636, S-2017

AN ORDINANCE ADOPTING THE ROAD SAFETY CODE OF QUEZON CITY, PROVIDING PENALTIES FOR THE VIOLATION THEREOF, AND APPROPRIATING FUNDS FOR THIS PURPOSE.

Introduced by Councilors OLIVIERE T. BELMONTE, FRANZ S. PUMAREN, GODOFREDO T. LIBAN II, RODERICK M. PAULATE, RAQUEL S. MALAÑGEN, RAMON P. MEDALLA, ELIZABETH A. DELARMENTE, ALEXIS R. HERRERA, LENA MARIE P. JUICO, ERIC Z. MEDINA, MARIVIC CO-PILAR, RANULFO Z. LUDOVICA and ALLAN BENEDICT S. REYES.

Co-Introduced by Councilors Victor V. Ferrer, Jr., Precious Hipolito Castelo, Voltaire Godofredo L. Liban III, Estrella C. Valmocina, Eufemio C. Lagumbay, Marvin C. Rillo, Irene R. Belmonte, Ivy Xenia L. Lagman, Marra C. Suntay, Hero Clarence M. Bautista, Jose A. Visaya, Karl Edgar C. Castelo, Julienne Alyson Rae V. Medalla, Andres Jose G. Yllana, Jr., Allan Butch T. Francisco, Melencio "Bobby" T. Castelo, Jr., Rogelio "Roger" P. Juan, Donato C. Matias, and Ricardo B. Corpuz.

WHEREAS, according to the Metro Manila Accident Reporting and Analysis System (MMARAS) of the Metro Manila Development Authority (MMDA), Quezon City has consistently had the highest number of road crashes and road crash fatalities and injuries in Metro Manila from 2010 to 2016;

WHEREAS, in 2016 alone, Quezon City accounted for 33,717 road crashes with 116 fatalities, contributing about 27% to the total number of fatal road crashes in Metro Manila as recorded by the MMDA;

WHEREAS, the City Government of Quezon City has adopted several ordinances designed to promote road safety;

QUEZON CITY PUBLIC LIBRARY

WHEREAS, the City Government of Quezon City recognizes the need to improve the enforcement of existing road safety ordinances;

WHEREAS, the City Government of Quezon City also recognizes the need to introduce new interventions to further reduce the number of road crash fatalities in the City;

WHEREAS, the City Government of Quezon City, particularly, the City Council, recognizes that road safety is a shared responsibility, and that those who design and regulate the roads have as much responsibility in preventing road injury and deaths as those who use the roads.

NOW, THEREFORE,

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

ARTICLE I – GENERAL PROVISIONS

SECTION 1. TITLE – This Ordinance shall be known as "The Road Safety Code of Quezon City."

SECTION 2. DECLARATION OF PRINCIPLES – It is the policy of this City to ensure the safety of all road users within the territorial jurisdiction of Quezon City and to promote public health, safety and convenience. Toward this end, the City Government of Quezon City adopts the Safe System approach to road safety and recognizes the following principles:

(a) The five (5) road safety pillars, i.e. (1) Road Safety Management; (2) Safer Roads and Mobility; (3) Safer Vehicles; (4) Safer Road Users; and (5) Post-Crash Response, must be strengthened to ensure that road crashes resulting from common human error do not result in death or serious injury;

(b) Road safety is a shared responsibility between those who design and regulate the road and those who use the road;

(c) Road safety is a multi-sectoral public health issue that requires the participation of all sectors, including the private sector and civil society organizations;

QUEZON CITY PUBLIC LIBRARY

(d) Road design and setting of speed limits must take into consideration the need to protect vulnerable road users such as pedestrians, bicycle riders, and motorcycle riders; and

(e) Known effective interventions must be maximized in order to significantly reduce the number of road crash injuries and fatalities in Quezon City.

SECTION 3. INTERPRETATION – Words and phrases not defined in this Ordinance shall be given their plain or customary meanings, unless the context requires otherwise. All words, phrases, and provisions shall be interpreted in a manner that is consistent with the purpose and spirit of this Ordinance.

SECTION 4. COVERAGE – This ordinance shall apply to all road users within or passing through Quezon City, including but not limited to motor vehicles, bicycles and other modes of transportation, the drivers and owners thereof, and pedestrians, other private individuals, public officers, public and private entities.

SECTION 5. DEFINITION OF TERMS – As used in this Ordinance, the following words and phrases shall have the meanings ascribed to them in this Section:

a) Alcoholic beverage - shall refer to any drink or liquid that contains alcohol that is capable of use as a beverage, including, but not limited to, distilled spirits wine, beer and other fermented liquors.

b) AUVs - shall refer to Asian Utility Vans or vehicles commonly known as FX.

c) Blood Alcohol Concentration Level or BAC - shall refer to the measure of the amount of alcohol in a person's blood.

d) Child or Children - shall refer to persons aged 0 to twelve (12) years of age.

e) Child Restraint System or CRS - shall refer to a device capable of accommodating a child occupant in a sitting or supine position. It is so designed as to diminish the risk of injury to the wearer, in the event of a collision or of abrupt deceleration of the vehicle, by limiting the mobility of the child's body.

QUEZON CITY PUBLIC LIBRARY

f) City - shall refer to Quezon City created under Commonwealth Act No. 502 (1939) and the boundaries of which were extended under Republic Act No. 537 (1950).

g) City Council - shall refer to the Quezon City Council.

h) City Government - shall refer to the Quezon City Government.

i) City Streets - shall refer to roads within the City, roads that connect to the National and City Roads, and roads that provide inter-barangay connections to major City infrastructure without traversing national roads, within the jurisdiction of Quezon City, not otherwise designated as National Roads, Barangay Roads, and Crowded Streets.

j) Crowded streets - shall refer to streets with heavy pedestrian traffic, including all streets within a five hundred (500)-meter radius of the perimeter of schools, public transportation terminals, markets, government buildings, churches and other places of worship, recreational places, facilities frequented by the youth, parks, shopping malls, movie houses, hotels, restaurants, and other public places as may be determined by the city. In case of linear strips of crowded areas, the reckoning point for the five hundred (500)-meter radius shall be the first and the last crowded public place.

k) Dangerous drugs and other similar substances -shall refer to drugs listed in the schedules annexed to the 1961 Single Convention on Narcotic Drugs, as amended by the 1972 Protocol, and in the schedules annexed to the 1971 Single Convention of Psychotropic Substances as enumerated in its attachment which is an integral part of Republic Act No. 9165, otherwise known as the "Comprehensive Dangerous Drugs Act of 2002" and those that the Dangerous Drugs Board created under the same Act may reclassify, add to or remove from the list of dangerous drugs.

QUEZON CITY PUBLIC LIBRARY
LAW RESEARCH

l) Designated Driver - shall refer to a person who is designated as the responsible driver of a vehicle, who by such designation is required to refrain from consuming alcoholic beverages, in order to safely drive home his/ her companions who have consumed alcoholic beverages.

m) Distracted driving - shall refer to the use of mobile communications or entertainment devices by drivers while driving, whether in motion or temporarily stopped at a red light, including the use of mobile communications devices or electronic entertainment or computing devices, and other similar acts.

n) Driver - shall refer to any person operating a motor vehicle.

o) Driving under the influence of alcohol - shall refer to the act of operating a motor vehicle while the driver's Blood Alcohol Concentration (BAC) level has, after being subjected to a breath analyzer test, reached 0.05% or such level of intoxication as established jointly by the Department of Health (DOH), the National Police Commission (NAPOLCOM) and the Department of Transportation (DOTr).

p) Driving under the influence of dangerous drugs and other similar substances - shall refer to the act of operating a motor vehicle while the driver, after being subjected to a confirmatory test as mandated under Republic Act No. 9165, is found to be positive for use of any dangerous drug.

q) Field of view - shall refer to the forward view directly through the windshield, rear and side views, through the other vehicle windows, as well as the indirect view using the side and rear view mirror provided by the vehicle mirror system.

r) Impoundment - shall refer to the act of placing a motor vehicle in a designated impounding area or holding lot by an authorized law enforcement officer.

QUEZON CITY PUBLIC LIBRARY

s) *Law Enforcement Officer - shall, as appropriate, refer to members of the Philippine National Police (PNP), members of the Metro Manila Development Authority (MMDA), members of the Land Transportation Office (LTO), Quezon City Police District, (QCPD) Quezon City Traffic Auxiliaries, and other public officers, who are deputized by the City Mayor for traffic and road safety enforcement.*

t) *Lead Agency - shall refer to the department or agency of the Quezon City Government specified under Article II, Section 1 hereof.*

u) *Motor Vehicle - shall refer 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 that run only on rails or tracks, and tractors, trailers and traction engines of all kinds used exclusively for agricultural purposes. It shall also refer to private cars, private and public utility jeepneys, private and public utility mini-buses, passenger jeepneys, trucks of all kinds, motorcycles, and tricycles, vans, electric motorcycles, electric cars, and other modes of transportation as may be determined by the Road Safety Working Group.*

v) *Ordinance Violation Receipt or OVR - shall refer to the receipt issued by a Law Enforcement Officer upon confiscation of a driver's license due to a violation of this Ordinance or any other ordinance of the City Government. The OVR shall serve as a Temporary Driver's License, valid for five (5) days from the date of issuance.*

w) *Owner - shall refer to the person in whose name the motor vehicle is registered, as indicated on the Certificate of Registration issued by the Land Transportation Office. The President, in case of corporations or the highest official in case of government agencies shall be considered the owner of motor vehicles registered in the*

QUEZON CITY PUBLIC LIBRARY

name of corporations or government agencies. In case of failure to present the Official Receipt or Certificate of Registration of the motor vehicle, the driver shall be presumed to be the owner of the motor vehicle.

x) Pedicab - shall refer to a three (3)-wheeled transport system without a motor, operated through the human body and capable of transporting passengers and/or goods for a fee.

y) PUVs - shall refer to public utility vehicles.

z) Road - shall refer to any public highway, street, thoroughfare, alley, boulevard, and the like within Quezon City.

aa) Traffic Code - shall refer to Ordinance No. SP-1444, S-2004, otherwise known as the "Traffic Management Code of Quezon City."

bb) Transport Network Vehicles or TNVs - shall refer to privately owned vehicles accredited by Transport Network Companies licensed by the LTFRB.

cc) Tricycle - shall refer to a motor vehicle duly registered with the Land Transportation Office (LTO) composed of a motorcycle with not more than two (2) cylinders or 500cc engine capacity, fitted with a single-wheeled side car or two-wheeled cab, closed van or open cart, whether powered by gasoline or electricity.

dd) Tricycle Management Code - shall refer to Ordinance No. SP-2337, S-2014, otherwise known as "An ordinance adopting the Quezon City Tricycle Management Code of 2014."

ARTICLE II – ROAD SAFETY MANAGEMENT

SECTION 1. LEAD ROAD SAFETY AGENCY – The Department of Public Order and Safety (DPOS) shall be the lead agency in all road safety related activities of Quezon City.

QUEZON CITY PUBLIC LIBRARY
LAW RESEARCH

SECTION 1.1. MANDATE – The Lead Agency is tasked to oversee, enforce, and implement the Quezon City Road Safety Code and all other initiatives and activities related to or arising from road safety laws, policies, and programs of this City.

SECTION 1.2. FUNCTIONS AND POWERS – The Lead Agency shall, in addition to other functions under other ordinances, orders, or policy issuances, have the following functions:

SECTION 1.2.1. ENFORCEMENT.

a. *Enforce this Ordinance, through coordination with local and national agencies and law enforcement officers, through the apprehension of offending persons/motor vehicles, issuance of OVRs, and the resolution of protests, without prejudice to the authority of the LTO to enforce traffic rules and regulations;*

b. *Assign law enforcement officers for the enforcement of this Ordinance within the City;*

c. *Coordinate with the PNP, MMDA, LTO, Quezon City Police District, barangay officials, and other deputized law enforcement officers to harmonize deployment and field operations within the City;*

d. *Train law enforcement officers on the enforcement of this Ordinance, in coordination with the LTO; and*

e. *Cause the installation of road signs as provided hereunder.*

SECTION 1.2.2. PLANNING AND COORDINATION.

a. *Serve as Chair of the Road Safety Working Group;*

b. *Convene the Road Safety Working Group once every quarter or as necessary;*

QUEZON CITY PUBLIC LIBRARY
LAW RESEARCH

c. Spearhead the development of the Quezon City Road Safety Action Plan and the review and updating thereof every five (5) years;

d. Conduct regular planning and coordination meetings with relevant offices and agencies to discuss and coordinate on issues related to road safety;

e. Act as depository of local laws, rules, and regulations related to road safety, including resolutions adopted by barangays and other local offices or agencies;

f. Periodically review road safety laws and regulations and submit recommendations to the City Council to improve road safety in the City;

g. Conduct capacity-building trainings, seminars, and workshops on road safety;

h. Coordinate with the LTO for integration with the LTO information technology system in relation to the uploading of information on drivers and owners who fail to settle fines and other penalties under this ordinance. Where integration with the LTO information technology system has not yet been established, the Lead Agency shall submit a quarterly report to the Regional LTO containing the relevant information; and

i. Submit an annual budget plan for road safety to the City Council.

SECTION 1.2.3. MONITORING AND EVALUATION.

a. Collect road crash data, including road crash fatalities, injuries, and other relevant information and submit such data, annually, to the City Mayor and the Committee on Transportation of the City Council;

b. Monitor the implementation of the Quezon City Road Safety Action Plan in coordination with the Road Safety Working Group and submit an annual report to the City Mayor and the Committee on Transportation of the City Council;

QUEZON CITY PUBLIC LIBRARY

c. Monitor the implementation of this Ordinance; and

d. Conduct periodic evaluations of the impact of this Ordinance and the Quezon City Road Safety Action Plan on the number of road crashes, road crash injuries and fatalities, and other outcomes as may be determined by the Road Safety Working Group.

SECTION 1.2.4. INFORMATION, EDUCATION, AND COMMUNICATION (IEC) CAMPAIGN AND OTHER TASKS.

a. Conduct public information, education, and communication campaigns on the enforcement of this Ordinance, the Quezon City Road Safety Action Plan, and road safety in general;

b. Perform other tasks as may be assigned by the City Mayor for the purpose of implementing this Ordinance; and

c. Develop and circulate a manual of local safety ordinances for the guidance of law enforcement officers.

SECTION 2. ROAD SAFETY WORKING GROUP – Within thirty (30) days from the effectivity of this Ordinance and every quarter thereafter, the Road Safety Working Group shall be convened.

SECTION 2.1. MANDATE – The Road Safety Working Group shall develop, monitor, and evaluate the implementation of this Ordinance and the Quezon City Road Safety Action Plan.

SECTION 2.2. COMPOSITION – The Road Safety Working Group shall be composed of the following members:

a. Head of the Department of Public Order and Safety;

b. Chairperson of the Committee on Transportation of the City Council;

c. City Engineering Department;

d. City Planning and Development Office;

QUEZON CITY PUBLIC LIBRARY

e. Quezon City Disaster Risk Reduction and Management Office;

f. Quezon City Police District; and

g. President, Liga ng mga Barangay.

The Road Safety Working Group may, when necessary, call on the participation of the following offices in the Road Safety Working Group, with respect to technical matters falling within their jurisdiction and/or areas of expertise:

a. City Architect's Department;

b. Barangay Operations Center;

c. Tricycle Regulatory Unit;

d. Tricycle Franchising Board;

e. Task Force Streetlights; and

f. City Administrator's Office.

The Road Safety Working Group may coordinate with other local departments and national government agencies as necessary for the implementation of this Ordinance and the Quezon City Road Safety Action Plan.

SECTION 2.3. COORDINATION – The Road Safety Working Group shall meet every quarter. Within fifteen (15) days from the effectivity of this Ordinance, all members of the Road Safety Working Group shall submit to the Lead Agency the names of one (1) permanent and two (2) alternate representatives who shall be responsible for participating in all meetings of the Road Safety Working Group on behalf of their department or office. The Lead Agency shall be notified in writing of any changes in the assigned representatives at least ten (10) days prior to the next quarterly meeting.

SECTION 3. BUDGET – The Lead Agency shall submit an annual budget plan to the City Council with specific appropriations for equipment, human resources, and operations as will be specified hereunder. The budget allotted for the operations of the Road Safety Working Group shall be included in the Lead Agency's budget plan.

QUEZON CITY PUBLIC LIBRARY
LAW RESEARCH

SECTION 4. QUEZON CITY ROAD SAFETY ACTION PLAN.

SECTION 4.1. CONTENT – Within six (6) months from the effectivity of this Ordinance, the Road Safety Working Group shall develop the Quezon City Road Safety Action Plan, which shall contain specific details and information on the following:

a. Vision;
b. Interim (5-year) targets;
c. Objectives;
d. Strategies;
e. Activities;
f. Projected outcomes;
g. Expected outputs;
h. Responsible office or person; and
i. Estimated budget.

SECTION 4.2. EVALUATION – The Lead Agency shall submit an annual report to the City Mayor and the City Council on the implementation of this Ordinance and the Quezon City Road Safety Action Plan.

Every five (5) years, the Road Safety Working Group shall review the impact of the Quezon City Road Safety Action Plan and update the same, as needed. The Road Safety Working Group shall submit a written report on the outcomes of the Quezon City Road Safety Action Plan to the City Mayor and the City Council within three (3) months from the end of the five (5)-year period of the Quezon City Road Safety Action Plan.

SECTION 5. ROAD CRASH DATA COLLECTION.

Section 5.1. Data Collection through the Data for Road Incident Visualization Evaluation and Reporting (DRIVER) System.

Unless otherwise provided by the Department of Transportation (DOTr), the Lead Agency shall use the DRIVER System for encoding road crash data. Within fifteen (15) days from the effectivity of this Ordinance, the Lead Agency shall coordinate with the Department of Transportation (DOTr) on the use of the DRIVER System.

QUEZON CITY PUBLIC LIBRARY

The Lead Agency shall assign a specific division within its department, which shall be in charge of collection, monitoring, and analysis of road crash data. The assigned division shall have at least two (2) analysts who shall be granted access to the DRIVER System for purposes of encoding and uploading road crash data.

Section 5.2. Minimum data to be collected.

The responding and/or reporting officer shall record all relevant data related to the crash including, but not limited to, the following:

a. Date and time of occurrence;
b. Location address, landmarks, and coordinates if available;
c. Name of people involved;
d. Number of people involved;
e. Age of people involved;
f. Involvement of children (ages 0-12);
g. Gender of people involved;
h. Cause of collision;
i. Collision type;
j. Severity (fatal, injury, property damage);
k. Vehicle or road user type;
l. When available, contact information of caller for calls made through City Emergency Hotline.

Section 5.3. Utilization of CCTV Network for Road Crash Data Collection.

The Lead Agency, in coordination with the City Disaster Risk Reduction and Management Office, shall, as necessary, utilize the City's Closed Circuit Television (CCTV) network for road crash data collection. When necessary, the Lead Agency shall request access to the relevant barangay's CCTV network for road crash data collection.

QUEZON CITY PUBLIC LIBRARY

SECTION 6. COORDINATION WITH NATIONAL GOVERNMENT AGENCIES.

Section 6.1. Coordination on Road Safety and Traffic Policies.

The Lead Agency shall align its road safety and traffic policies with the policies, rules, and regulations of the DOTr, MMDA, and the PNP-Highway Patrol Group (HPG). The Lead Agency shall ensure that the relevant national government agencies are duly notified of policies in Quezon City by furnishing them with copies of this Ordinance, the Quezon City Road Safety Action Plan, other relevant ordinances and/or resolutions, and succeeding issuances.

Section 6.2. Coordination on Deployment of Law Enforcement Officers.

The Lead Agency shall regularly monitor the deployment of law enforcement officers on national roads passing through the City. The Lead Agency shall ensure that the City has an adequate number of law enforcement officers and that an adequate number of law enforcement officers are deployed in critical areas. For this purpose, the Lead Agency shall regularly secure copies of the deployment schedule and deployment plan of the LTO, MMDA and PNP-HPG.

SECTION 7. CITIZEN'S REPORTS.

Section 7.1. Road Safety Reporting System.

The Lead Agency shall establish and operate a road safety reporting system where citizens may directly file their complaints and/or requests regarding any concern related to road safety, including, but not limited to, the following:

a. Repair, maintenance, or improvement of city and barangay roads, including the installation of street lights, road signs and other road furniture;

b. Road obstructions, road hazards and other encroachments on roads and sidewalks; or

QUEZON CITY PUBLIC LIBRARY

c. Any violation of this Code by a private person or entity, or public official tasked with enforcement of this Code.

Section 7.2. Minimum Information on Complaint Form.

The Lead Agency shall make available in its main office and satellite posts, complaint forms that shall contain the following minimum information:

a. Name of complainant;

b. Nature of complaint;

c. Background information about the complaint, allowing photos or supporting evidence to be attached;

d. Location; and

e. Desired outcome of the complainant.

Section 7.3. Initial Report of Action Taken.

The Lead Agency shall respond to the complaint filed within fifteen (15) days from receipt thereof with an initial report of actions taken.

ARTICLE III – SAFER ROADS AND MOBILITY

SECTION 1. ROAD INVENTORY AND CLASSIFICATION.

Section 1.1. Road Inventory.

The City Engineering Department shall be responsible for updating the local road inventory every three (3) years or whenever a local road is converted to a national road and vice versa. The City Engineering Department shall submit annual reports on any conversions or changes made to the road inventory to the Lead Agency.

QUEZON CITY PUBLIC LIBRARY

Section 1.2. Road Classification.

The City Engineering Department shall be responsible for updating the local road inventory to reflect the accurate classification of roads every time a local road is reclassified. The City Engineering Department shall report on any conversions or changes made to the road classifications in the road inventory to the Road Safety Working Group.

The classification of roads shall be reviewed every three (3) years.

SECTION 2. ROAD AUDIT – The City Engineering Department shall, in coordination with the DPWH, conduct a complete road audit of all roads within jurisdiction to identify road hazards and other obstructions, encroachments, the demarcation of sidewalks on local roads and national roads passing through the City, and to ensure that all roads are installed with appropriate road signages and road furniture, in compliance with the DPWH Manual on Highway Safety Design Standards.

Within three (3) months from the effectivity of this Ordinance and every three (3) years thereafter, the City Engineering Department shall submit a report on the road audit and the recommended action to the Road Safety Working Group.

SECTION 3. ROAD SAFETY IMPACT ASSESSMENT – All new construction projects, road works, and similar activities shall be required to undergo a Road Safety Impact Assessment by the City Engineering Department. Prior to the commencement of any construction activity, roadwork or other similar activities, the project contractor and/or project manager shall submit a certificate of assessment issued by the City Engineering Department to the Lead Agency. No building permit shall be issued without first complying with the requirement of conducting a Road Safety Impact Assessment.

The Road Safety Impact Assessment shall also include a Road Safety Management Plan to ensure that road safety risks will be minimized or avoided in the conduct of construction activities, road works, and similar activities. The Road Safety Management Plan shall be strictly followed in the performance of the construction activity, roadwork or similar activities. Non-compliance with the approved Road Safety Management Plan shall be cause for suspension of the said construction activity, roadwork or other similar activities.

QUEZON CITY PUBLIC LIBRARY

All projects requiring a Traffic Management Plan (TMP) and/or Traffic Impact Assessment (TIA) shall also require a Road Safety Impact Assessment.

Section 3.1. Exemption.

All construction projects, road works, and similar activities on private roads owned by private subdivisions or villages are exempted from the requirement of undergoing a Road Safety Impact Assessment. The exemption does not extend to public roads inside private subdivisions or villages turned over to the City Government.

SECTION 4. ROAD DESIGN, MAINTENANCE AND IMPROVEMENT.

Section 4.1. Road Design.

New roads shall comply with the design standards prescribed under the latest DPWH Design Guidelines, Criteria and Standards Manual. The City Engineering Department shall be responsible for ensuring compliance with the DPWH standards.

All local roads shall bear appropriate instructional signages.

Section 4. 1. 1. Prohibition of Removal, Defacement, or Unauthorized Alteration or Installation of Road Signs.

The removal, defacement, or any unauthorized alteration or installation of road signs is prohibited.

SECTION 5. ROAD MAINTENANCE.

Section 5.1. Maintenance of National Roads.

The City Engineering Department shall coordinate with the DPWH for the maintenance and repair of national roads passing through the City. Nothing in this Ordinance shall prevent the Lead Agency from conducting urgent and necessary repairs on said national roads, subject to coordination with the DPWH.

QUEZON CITY PUBLIC LIBRARY

Section 5.2. Maintenance of Local Roads.

The City Engineering Department shall be responsible for the maintenance and repair of city and barangay roads to ensure that they are safe and expose no risk to road users, as verified through the road audit and inventory and in compliance with the design standards of DPWH.

Barangays shall coordinate with the City Engineering Department for the maintenance and repair of barangay roads.

SECTION 6. ROAD IMPROVEMENT.

Section 6.1. Improvement of National Roads.

The Lead Agency shall recommend road improvement activities and other road design measures that are necessary to ensure road safety on national roads to the City Engineering Department. The City Engineering Department shall be responsible for coordinating with the DPWH for the improvement of national roads passing through the City. Nothing in this Ordinance shall prevent the City Engineering Department from conducting improvement activities and adopting road design measures on such national roads, in coordination with the DPWH.

Section 6.2. Improvement of Local Roads.

The Lead Agency shall recommend road improvement activities and other road design measures that are necessary to ensure road safety on local roads to the City Engineering Department. The City Engineering Department shall be responsible for implementing said road improvement activities and road design measures. Nothing in this Ordinance shall prevent the City Engineering Department from conducting road improvement and activities pursuant to its regular functions.

QUEZON CITY PUBLIC LIBRARY
LAW RESEARCH

Section 6.3. Road Safety Infrastructure, Road Signs and Road Furniture.

The City Engineering Department shall ensure that all city and barangay roads have necessary road infrastructure, furniture, markings, rumble strips, speed bumps, and other traffic-calming devices, and other cost-effective measures to promote road safety for all types of road users and to prevent speeding or reckless driving.

The City Engineering Department shall also be responsible for the installation of signages, lamp posts, CCTV network posts and billboards, painting of sidewalks, pedestrian lanes and similar markings, installation of waiting sheds and other road furniture, and the undertaking of similar road safety measures, subject to the approval of the City Planning and Development Office and in coordination with the barangays. All road signs must be in accordance with the DPWH Manual on Highway Safety Design Standards and/or other accepted international design standards. The City Engineering Department, in coordination with the Lead Agency, shall remove and replace all road signs that fail to comply with the DPWH standards.

The Lead Agency may recommend, from time to time, the installation or construction of other road infrastructure, furniture, signages and other measures to the City Engineering Department, when necessary to improve road safety.

All measures implemented shall comply with policies on "green" or cost-efficient, environment-friendly engineering.

SECTION 7. SUSTAINABLE URBAN PLANNING AND ZONING – The Lead Agency shall render the necessary support to the City Planning and Development Office (CPDO) in implementing zoning regulations. The Lead Agency shall closely coordinate with the CPDO to ensure that zoning regulations are in line with road safety policies and will not create road safety risks.

SECTION 8. INCLUSIVE MOBILITY.

Section 8.1. Pedestrian Lanes.

QUEZON CITY PUBLIC LIBRARY

Section 8.1.1. Frequency.

Within three (3) months from the effectivity of this Ordinance, the Lead Agency, in coordination with the City Engineering Department, shall identify all city roads with high pedestrian volume and cause the installation of pedestrian lanes with appropriate signages on said road. The Lead Agency shall prioritize school zones in installing pedestrian lane and shall, whenever practicable, install elevated or trapezoidal pedestrian lanes for speed management purposes.

Within the same period, the Punong Barangay of all barangays in Quezon City shall identify all barangay roads with high pedestrian volume and shall submit their respective findings and recommendations to the Lead Agency. The recommendations must specify road signages and other road furniture needed to improve the safety of pedestrians on said barangay roads.

Every intersection, school zone, market place, place of worship, government agency or office, and all other places as may be determined by the Road Safety Working Group, shall have pedestrian lanes, crosswalks, or footbridges, as may be deemed necessary by the City Engineering Department and subject to compliance with the appropriate DPWH standards.

Section 8.1.2. Right of Way of Pedestrians.

The driver of any motor vehicle shall yield the right of way to a pedestrian crossing within a crosswalk or pedestrian crossing, except at intersections where the movement of traffic is being regulated by a law enforcement officer or by traffic signal.

A driver approaching a pedestrian crossing shall slow down and stop, as necessary, to allow pedestrians to cross within the crosswalk.

QUEZON CITY PUBLIC LIBRARY

Section 8.1.3. Prohibition on Using, Straddling or Obstructing Pedestrian Lanes.

A driver shall not permit any portion of his or her vehicle to obstruct any portion of the pedestrian lane. At no time shall any vehicle use, straddle, or obstruct the designated pedestrian lane.

This provision shall apply to all motor vehicles including motorcycles and electronic bikes.

Section 8. 2. Bicycle Lanes.

Section 8.2.1. Installation of Bicycle Lanes.

Within three (3) months from the effectivity of this Ordinance, the City Engineering Department shall identify roads that can accommodate the installation of bicycle lanes.

Within the same period, the Lead Agency shall, in consultation with the MMDA and stakeholders, identify priority areas for the installation of bicycle lanes and submit its recommendations to the City Planning and Development Office.

The City Planning and Development Office, in coordination with the Lead Agency and the City Engineering Department, shall install bicycle lanes on such roads identified by the Lead Agency and the City Engineering Department. The bicycle lanes shall, as far as practicable, be protected or exclusively dedicated to bicycles. At the minimum, the bicycle lanes shall be appropriately marked and shall comply with the DPWH Manual on Highway Safety Design Standards.

The Lead Agency, in coordination with the City Engineering Department, shall install appropriate road signs, barriers, and other safety features to ensure the safety of bicyclists on bicycle lanes, in accordance with the DPWH Manual on Highway Safety Design Standards and/or other accepted international design standards.

QUEZON CITY PUBLIC LIBRARY

The City Engineering Department shall set and indicate reasonable targets for the number of kilometers of bicycle lanes to be installed every year in the Quezon City Road Safety Action Plan.

The Lead Agency, in coordination with the City Planning and Development Office and the City Engineering Department, shall ensure that at least ten (10) kilometers of bicycle lanes shall be installed annually, for the first five (5) years of the effectivity of this Ordinance.

Section 8.2.2. Prohibition on Using, Straddling or Blocking Bicycle Lanes.

No driver shall permit any portion of his or her vehicle to block any portion of the bicycle lane. At no time shall any vehicle use, straddle, or obstruct the designated bicycle lane.

This provision shall apply to all motor vehicles including motorcycles and electronic bikes.

Section 8.2.3. Parking Areas for Bicycles and Facilities for Cyclists.

The City Planning and Development Office, in coordination with the Lead Agency and the City Engineering Department, shall as far as practicable, designate parking areas for bicycles, install bike racks, and implement other measures that promote cycling. Commercial establishments open to the public such as malls, supermarkets, groceries, banks, restaurants and other similar establishments with parking spaces for motor vehicles in the City shall also be required to provide bicycle parking where bicycles can be safely and securely parked.

Section 8.3 Road Design and Better Transport Alternatives for Persons with Disabilities and Other Groups with Special Needs.

Within three (3) months from the effectivity of this Ordinance, the City Planning and Development Office, City Engineering Department, and Persons with Disabilities Affairs Office, in coordination with the Lead Agency, shall submit proposed plans for road design improvements and better transport alternatives that will cater to persons with disabilities (PWDs) and other groups with special needs, such as pregnant women, senior citizens, and children.

QUEZON CITY PUBLIC LIBRARY

These measures shall include the widening of sidewalks to accommodate wheelchairs and the provision of ramps, shuttle services and other facilities provided under Batas Pambansa Blg. 344 or the Accessibility Law, that will increase the accessibility of establishments and promote the mobility of PWDs and other special need groups.

Section 8.3.1. Prohibition against Parking on Designated Parking Slots for Persons with Disabilities and Other Groups with Special Needs.

It shall be prohibited to park on designated parking slots for persons with disabilities and other groups with special needs.

Section 8.4. Use of Sidewalks.

Section 8.4.1. Prohibition against use of sidewalks by motor vehicles.

Sidewalks shall be for the exclusive use of pedestrians. It shall be prohibited for motor vehicles to traverse sidewalks or use the same for any other purpose.

Section 8.4.2. Prohibition against blocking of sidewalk for parking or other purposes.

Blocking or obstructing any portion of a sidewalk is prohibited. Placing goods or items on the sidewalk, parking vehicles in a manner that obstructs the sidewalk, and sleeping or squatting thereon is likewise prohibited. No person shall be given permission to use any portion of sidewalks for any purpose other than mobility of pedestrians.

Section 8.4.3. Sidewalk-Clearing Operations.

The Lead Agency shall regularly conduct sidewalk-clearing operations. Any obstructions on sidewalks that are not otherwise authorized by the proper authorities shall be removed immediately, without prejudice to applicable penalties.

Section 8.4.4. Temporary Sidewalks.

The Lead Agency shall designate temporary sidewalks in the event of obstruction of sidewalks due to authorized road improvement or construction activities. The temporary sidewalks shall be properly marked.

QUEZON CITY PUBLIC

Section 8.5. Inclusive Mobility.

Immediately upon the execution of this Ordinance, the Lead Agency, in coordination with the City Engineering Department, shall submit the proposed number and location of additional pedestrian lanes, bicycle lanes, and other road improvements for PWDs and other groups with special needs.

SECTION 9. ROAD-CLEARING OPERATIONS – The Lead Agency shall regularly conduct road-clearing operations pursuant to city ordinances that provide for and regulate the removal of objects or materials that obstruct the free flow of vehicular traffic and pedestrian passage, including Ordinance No. SP-1076, S-2001, otherwise known as, "An ordinance requiring and directing the removal of junk motor vehicles, construction and other materials abandoned along the sides of public thoroughfares, roads, city and subdivision streets, within the jurisdiction of Quezon City, which are unsightly and obstruct the free flow of vehicular traffic and pedestrian passage, providing penalties for violation hereof and for other purposes."

Properties confiscated during road-clearing operations shall be disposed of in accordance with Ordinance No. SP-1076, S-2001.

SECTION 10. TRAFFIC LIGHTS – The Lead Agency shall be responsible for the management of all traffic lights, controls or signals on public roads, whether installed by the City Government or private entities.

The operation of traffic lights installed by private entities on public roads shall be coordinated with the Lead Agency.

No person shall without authority from the Lead Agency, install, alter, remove or control any traffic control sign or traffic light on any public road.

SECTION 11. CAPACITY BUILDING AND KNOWLEDGE TRANSFER – The Lead Agency, working jointly with the City Engineering Department, with the support of the DPWH and other agencies or institutions, shall organize regular capacity building trainings and workshops on safer road design, safe infrastructure design, low-cost safety engineering, traffic impact assessment, safety impact assessment and safety auditing in general for its personnel and other stakeholders.

QUEZON CITY PUBLIC LIBRARY

The Head of the Lead Agency shall, as far as practicable, appoint a technical expert on road audit and safety impact assessment in the Lead Agency.

ARTICLE IV – SAFER VEHICLES

SECTION 1. MINIMUM VEHICLE SAFETY STANDARDS FOR TRICYCLES AND PEDICABS FRANCHISED IN QUEZON CITY – The Lead Agency, through the appropriate department, shall (i) review minimum vehicle safety standards for tricycles and pedicabs applying for franchises in Quezon City and (ii) recommend policies to the City Council to promote the safety of tricycle riders.

Section 1.1. Tricycles

Section 1.1.1. Tricycle Design Standards.

All tricycles plying routes within Quezon City, including government-owned and utility tricycles, shall comply with the design standards, standard measurement, road worthiness guidelines, and other requirements set by the City Government under Ordinance No. SP-2337, S-2014 and other relevant issuances.

Failure to comply with the minimum standards within the term of the franchise shall constitute a ground for suspension or revocation of the franchise and impoundment of the vehicle pursuant to Section 4, Article VII of this Ordinance.

Section 1.1.2. Prohibition on Tricycles for Private Use.

All tricycles in Quezon City shall be required to obtain a franchise from the City Government through the Tricycle Franchising Board and shall be governed by the rules and regulations of this Ordinance and other relevant issuances of the City Government. Tricycles shall only be allowed (a) for transporting passengers for a fee; (b) for transporting goods (utility tricycles); or (c) for service vehicles of the City Government.

Section 1.1.3. Number of Passengers Allowed on Tricycles.

As a general rule, tricycles shall only be allowed to carry three (3) passengers excluding the driver. Only one (1) passenger shall be allowed to sit behind the driver, provided that, a protective guard and adequate handles are installed for the passenger seated behind the driver.

QUEZON CITY PUBLIC LIBRARY

This limitation shall not apply to electronic tricycles and other models of tricycles designed by the manufacturer to carry more than three (3) passengers. In such cases, the owner of the tricycle shall present a manufacturer's manual or certificate indicating the load capacity of the tricycle to the law enforcement officer. Such load capacity shall be clearly stated in the franchise of the said tricycle.

Section 1.1.4. Limitation on Route.

In addition to limitations on the route of tricycles under Ordinance No. SP-2337, S-2014 and other relevant issuances, tricycles shall be prohibited from plying any national road or any road with a speed limit higher than 40 kph except in the following instances:

a. When the tricycle has been permitted under an existing franchise to ply a road with a speed limit higher than 40 kph;

b. On designated intersections solely for the purpose of crossing;

c. When an intersection has been blocked for purposes of traffic management and replaced by a U-Turn solely for the purpose of crossing and only if permitted under the tricycle's franchise; and

d. When the tricycle is en route to its garage, provided that it is not carrying any passenger.

Section 1.2. Pedicabs.

Section 1.2.1. Design Standards for Pedicabs.

The Pedicab Regulatory Section (PRS) shall determine the minimum safety standards for pedicabs. At the minimum, pedicabs are required to have semi-enclosed sidecars and lights installed on the bicycle and the body of the sidecar. The light on the side car must be turned on from 6:00 p.m. to 6:00 a.m. or as required by actual road and weather conditions.

Failure to maintain the minimum standards during the term of the license shall constitute a ground for suspension of the license and impoundment of the vehicle pursuant to Section 4, Article VII of this Ordinance.

QUEZON CITY PUBLIC LIBRARY

Section 1.2.2. Prohibition on Pedicabs without Semi-Enclosed Sidecars.

Pedicabs without semi-enclosed sidecars shall be prohibited from operating in Quezon City. Operating payong-payongs or pedicabs with umbrellas and without semi-enclosed sidecars shall be deemed a violation of this Ordinance.

Section 1.2.3. Number of Passengers allowed on Pedicabs.

Pedicabs shall be allowed to carry a maximum of two (2) passengers excluding the driver.

Section 1.2.4. Limitation on Route.

In addition to limitations on the route of pedicabs under Ordinance No. SP-2337, S-2014, pedicabs shall be prohibited from plying any national road or any road with a speed limit higher than 30 kph, except in the following instances:

a. On designated intersections solely for the purpose of crossing;

b. When an intersection has been blocked for purposes of traffic management and replaced by a U-Turn solely for the purpose of crossing and only if permitted under the pedicab's license; and

c. When the pedicab is en route to its garage, provided that it is not carrying any passenger.

SECTION 2. THREE (3)-STRIKE RULE – The franchise of drivers of tricycles and license of pedicabs who were found to have committed any of the following violations at least three (3) times within three (3) years from the time of the first offense shall immediately be revoked and shall not be renewed:

a. Failure to comply with the minimum safety standards under this Ordinance and related ordinances;

b. Violation of limitation on route under Section 1.1.4 and 1.2.4; and

c. Violations under Article V of this Ordinance.

QUEZON CITY PUBLIC LIBRARY

SECTION 3. IN CASE OF COURT'S FINAL JUDGMENT – The franchise or license of a franchisee or licensee whose tricycle or pedicab is found by final judgment, to have caused a road crash resulting in serious injuries and/or death shall likewise be revoked and shall be permanently disqualified for renewal. Said franchise or license may be suspended while court proceedings are ongoing, when upon the determination of the Lead Agency, it is evident that the crash was due to the fault or negligence of the franchisee or licensee.

In all cases, the franchisee shall also be barred from applying for a new franchise/license.

SECTION 4. MINIMUM VEHICLE SAFETY STANDARDS FOR VEHICLES PASSING THROUGH QUEZON CITY – All vehicles, including bicycles, electric bicycles and All-Terrain Vehicles (ATVs) passing through Quezon City shall be required to comply with the minimum vehicle standards prescribed by the Land Transportation Office. In addition thereto, motor vehicles passing through the City must have:

a. *Functioning headlights, tail lights and signal lights in compliance with LTO standards;*

b. *Headlights turned on from 6:00 p.m. to 6:00 a.m., as well as when traversing tunnels or as required by the weather; and*

c. *Functioning wipers on the windshield, where applicable.*

SECTION 5. VEHICLE REQUIREMENTS FOR TRANSPORTING GOODS – In transporting goods, the vehicle must be equipped with the necessary facilities to secure its cargo and to ensure that the said cargo will not fall or be dislodged while in transit.

In transporting hazardous goods and other materials, the vehicle must be equipped with the necessary facilities to secure the cargo and prevent any untoward consequences the transportation of the same may entail, including consequences due to the nature of the hazardous object.

The owner and/or driver of the vehicle shall be responsible for removing fallen cargo from the road to avoid creating a road hazard.

QUEZON CITY PUBLIC LIBRARY

ARTICLE V – SAFER ROAD USERS

SECTION 1. SPEEDING.

Section 1.1. What Constitutes Speeding.

The following activities constitute a speeding violation penalized under this Ordinance:

a. Driving a motor vehicle on any road in this City at a rate of speed greater than that permitted by this Ordinance;

b. Driving a motor vehicle on any road in this City at a speed that is not appropriate for the width, traffic, grades, crossing, curvatures, visibility or other condition of the road, as to endanger the safety of road users and their property; and

c. Driving a motor vehicle on any road in this City at a speed greater than that which will permit the vehicle to stop within the assured clear distance ahead, in order to prevent a road crash.

Section 1.2. Default Speed Limits.

Subject to Section 1.4 and unless otherwise provided herein, the speed limit for all city roads within Quezon City shall be Thirty kilometers per hour (30 kph) for all motor vehicles. The speed limit for all barangay roads or collector roads, classified as such by the City, shall be 20 kph.

Section 1.3. Crowded Streets.

Based on the actual road condition and the road user mix, barangays may recommend to the Lead Agency the setting and enforcement of safer speed limits for barangay roads and crowded streets within their jurisdiction when necessary.

Within thirty (30) days from effectivity of this Ordinance, barangays shall submit a list of crowded streets to the Lead Agency. The Lead Agency shall review and submit the list to the City Council with recommendations on the enactment of an ordinance imposing a speed limit of 20 kph on such roads.

QUEZON CITY PUBLIC LIBRARY

Section 1.4. Speed Limits for Specific Roads.

The following speed limits shall apply to the roads and motor vehicles identified below and other similar motor vehicles:

Roads covered	Cars / Motorcycles and similar motor vehicles	Trucks / Buses / Tricycles and similar motor vehicles
Santolan Road to Bonny Serrano Avenue	50 kph	30 kph
Aurora Boulevard (From Madison St. to Marcos Highway)	50 kph	30 kph
E. Rodriguez Sr. Avenue	50 kph	30 kph
Kamuning Road to Kamias Road	50 kph	30 kph
Quezon Avenue	50 kph	30 kph
East Avenue	40 kph	30 kph
Timog Avenue	40 kph	30 kph
North Avenue	40 kph	30 kph
West Avenue	50 kph	30 kph
Central Avenue	40 kph	30 kph
Kalayaan Avenue	40 kph	30 kph
Commonwealth Avenue	60 kph	50 kph
Visayas Avenue	40 kph	30 kph
Tomas Morato Avenue	40 kph	30 kph
Tandang Sora Avenue	40 kph	30 kph
Fairview Avenue	50 kph	30 kph
Mindanao Avenue	50 kph	30 kph
Congressional Avenue	40 kph	30 kph
Regalado Highway	50 kph	30 kph
Quirino Highway	50 kph	30 kph
Batasan Road	50 kph	30 kph
Katipunan Avenue	40 kph	30 kph

QUEZON CITY PUBLIC LIBRARY

Section 1.5. Exceptions.

The speed limits prescribed above shall not apply to drivers in the following circumstances, provided that these exceptions shall not be construed to allow unnecessary fast driving or to endanger the life, health or property of any person:

a. The driver of a motor vehicle carrying a physician or health worker who is responding to an emergency call;

b. The driver of a hospital ambulance or emergency vehicle on the way to and from the location of a road crash or other emergency;

c. Any driver bringing a wounded, injured, or sick person for emergency treatment to a hospital, clinic, or any other similar place;

d. The driver of a motor vehicle belonging to the Armed Forces, while in use for official purposes in times of riot, insurrection, or invasion;

e. The driver of a motor vehicle when he/she is in pursuit of a criminal;

f. A law enforcement officer who is trying to apprehend a person in violation of traffic laws;

g. The driver operating a motor vehicle of Bureau of Fire Protection (BFP) or any fire trucks/vehicles, while responding to an emergency.

Section 1.6. Installation of Speed Limit Signs.

The Lead Agency shall install appropriate speed limit signs on roads within the City as set under Section 1.3 hereof.

For National Roads, the Lead Agency shall coordinate with the DPWH Regional Office on the installation of appropriate speed limit signs. The speed limit signs shall conform to the standards prescribed by the DPWH Manual on Highway Safety Design Standards.

Within three (3) months from the effectivity of this Ordinance, the Lead Agency shall identify priority roads for the installation of speed limit signs.

QUEZON CITY PUBLIC LIBRARY

Section 1.7. Information Dissemination on Applicable Speed Limits.

The Lead Agency shall ensure that information dissemination on applicable speed limits on roads within Quezon City is conducted.

Section 1.8. Prohibition against Street Racing.

It shall be prohibited to engage in the unauthorized racing of motor vehicles, including tricycles and motorcycles. Motor vehicles used in unauthorized racing shall be immediately impounded and shall not be released until proof of payment of fines and service of the penalty is presented.

Section 2. Drink and Drug Driving.

Section 2.1. Drink Driving.

It shall be prohibited for any person to drive a motor vehicle while under the influence of alcohol.

Section 2.2. Drug-Driving.

It shall be prohibited for any person to drive a motor vehicle while under the influence of dangerous drugs and other similar substances.

A driver is presumed to be driving under the influence of dangerous drugs and other similar substances if it is reasonably apparent based on his/her gestures or behavior that his/her motor and mental faculties are impaired due to the ingestion or intake of incapacitating substances as those prohibited by existing laws, such that he/she exposes himself/herself or other persons to the risk of a crash.

Section 2.3. Random Breath and Drug Testing in Terminals.

The Lead Agency shall conduct random breath and drug testing in pedicab, tricycle, jeepney, taxi and bus terminals.

QUEZON CITY PUBLIC LIBRARY

In case a driver of a jeepney, taxi or bus tests positive in the breath and/or drug test, the operator shall prohibit the driver from driving its vehicle until such time that the driver has completed his rehabilitation. The cost for rehabilitation of the driver who found positive in the breath and/or drug test shall be borne by the operator. In such case, the franchisee/permitee of the terminal shall be meted a fine of Php5,000.00. For the second offense, in addition to rehabilitation and fine, the Lead Agency, in coordination with the Business Permits and Licensing Office (BPLO) shall issue a Cease and Desist Order (CDO) to the franchisee/permitee of the terminal until such time that corrective measures, approved by the Lead Agency, are complied with by the franchisee/permitee of the terminal. For the third offense, in addition to rehabilitation and fine, the terminal shall be permanently closed.

In the event that the driver is also the operator of the jeepney, taxi or bus as the case maybe, tests positive in breath and/or drug test, the subject vehicle shall be immediately impounded in addition to the aforementioned fine and penalties.

For tricycle and pedicab terminals, the rules provided for by Ordinance No. SP-2575, S-2017 entitled "An ordinance providing for the conduct of random drug tests to public motorized tricycle, utility motorized tricycle and pedicab drivers and appropriating funds for the purpose thereof" shall apply.

Section 2.4. Random Sobriety Checkpoints near commercial establishments.

The Lead Agency shall organize random sobriety checkpoints. Random sobriety checkpoints shall have appropriate signages to inform the public that random sobriety checks are being conducted. In the event that a driver suspected of driving under the influence of alcohol fails the BAC breath test, the driver shall be assisted in parking at a nearby designated parking area and shall be prohibited from driving until such time that he/she is able to comply with the allowed BAC. If he or she refuses to comply, he/she shall be apprehended for violation of this Ordinance.

QUEZON CITY PUBLIC LIBRARY

Random sobriety checkpoints shall be recorded using video cameras or body cameras. Law enforcement officers conducting random sobriety checks shall be provided with a deployment order for such purpose, indicating the protocols for the selection of vehicles, and shall have an identification card with 2x2 photograph.

Section 2.5. Responsible Beverage Service Programs and Designated Driver Program.

All establishments selling liquor within Quezon City shall be required to adopt a responsible beverage service program which shall include, but shall not be limited to:

a. Server training on identifying intoxication and implementation of designated driver program;

b. Signs or notices within the commercial establishment notifying patrons that the bar reserves the right to refuse service to visibly intoxicated persons; and

c. Other information, education and communication campaign materials on drink-driving.

Applicants for liquor licenses within Quezon City shall be required to submit a sworn affidavit describing the Responsible Beverage Service Program of the commercial establishment as a condition for the issuance or renewal of the liquor license.

Section 3. Use of Motorcycle Helmets.

Motorcyclists shall wear a safety helmet while driving within this City. It shall be prohibited to drive or ride a motorcycle within this City without wearing a properly fastened, appropriately-sized, standard safety helmet.

Section 3.1. "No Helmet, No Travel" Policy.

The Lead Agency shall strictly implement a "No Helmet, No Travel" policy. In the event of a violation, the motorcycle shall be impounded. The motorcycle may only be recovered upon payment of the applicable fine and upon presentation of a standard motorcycle helmet that must be properly worn if the motorcycle will be used to depart from the impoundment area.

QUEZON CITY PUBLIC LIBRARY

Barangays, private subdivisions, and commercial establishments within the City shall not be allowed to impose or implement rules prohibiting motorcycle riders from wearing helmets except during security inspections.

Section 3.2. Appropriately-sized standard helmets and proper use thereof.

Helmets shall be according to the standard approved by the Department of Trade and Industry (DTI) and shall be appropriately-sized for the wearer. It shall be properly fastened under the motorcycle rider's chin. Failure to properly fasten the helmet shall be considered a violation of this Ordinance.

Section 4. Children's Safety aboard Motor Vehicles.

Section 4.1. Children's Safety aboard Motorcycles.

Section 4.1.1. Appropriate-sized helmets.

Children aboard motorcycles shall wear appropriately-sized and standard protective helmets.

Section 4.1.2. Prohibition.

Children shall not be allowed to ride motorcycles on any road within Quezon City unless the following conditions are present:

a. The child's feet must be able to comfortably reach the footrest of the motorcycle;

b. The arms of the child can reach around and grasp the waist of the motorcycle driver;

c. The child is mentally capable to appreciate the need to hold on to the rider; and

d. Only one (1) child is riding the motorcycle.

Section 4.2. Children's Safety aboard Passenger Vehicles.

QUEZON CITY PUBLIC LIBRARY
LAW REFERENCE

Section 4.2.1. Prohibition of Children in Front Seats of Private Vehicles, Taxis, AUVs, PUVs and TNVs.

No child shall be allowed to sit in the front seats of private vehicles, taxis, public utility vehicles such as buses, jeepneys and vans and TNVs.

Section 4.2.2. Mandatory use of Child Restraints System in private motor vehicles.

It shall be prohibited for the driver of a private motor vehicle not to secure a child in a child restraint system at all times while transporting such child on any road, street or highway within Quezon City. The child restraint system shall be appropriate for the child's size, height and weight, in accordance with United Nations Regulation No. 44 (Uniform provisions concerning the approval of restraining devices for child occupants of power-driven vehicles) and UN Regulation No. 129(Uniform provisions concerning the approval of Enhanced Child Restraint Systems used on board motor vehicles), and other accepted international standards, as indicated on the approval label of the child restraint system.

Section 4.2.2.1. Exceptions.

The requirements of this section shall not apply to circumstances where the child restraint system would put the child in greater danger such as:

a. During medical emergencies;

b. When the child being transported has a medical or developmental condition; or

c. Other analogous circumstances as determined by the Lead Agency.

Notwithstanding the child being secured in a child restraint system, at no instance shall such child in a child restraint system be left unaccompanied by an adult in a motor vehicle.

QUEZON CITY PUBLIC LIBRARY

SECTION 5. MOTORCYCLE OVERLOADING.

Section 5.1. Limit on the Number of Passengers of Motorcycles.

Motorcycle riders are prohibited from carrying another person on the motorcycle backseat unless the motorcycle is designed to carry more than one (1) person. A motorcycle carrying more than one (1) person shall be considered overloaded in the event that the driver fails to show proof, such as a manufacturer's manual, that the motorcycle was designed to carry more than one (1) person.

Section 5.2. Prohibition on Use of Motorcycles for Carrying Passengers for a Fee.

It shall be prohibited to use motorcycles to carry passengers for a fee.

Section 5.3. Limit on Motorcycle Cargo.

Any cargo being transported using a motorcycle shall be secured firmly and should not cause the motorcycle to be unstable. Load dimensions should not go beyond one (1) meter from the center of the motorcycle side to side and higher than the helmet of the rider. Other objects designed to be carried by the rider such as guitars and similar instruments, rulers, tools and the like should be strapped to the rider.

Section 5.4. Prohibition on Student Permit Holders from Carrying Passengers.

Student drivers or student permit holders are prohibited from carrying passengers aboard motorcycles.

SECTION 6. SEATBELT USE FOR DRIVERS AND PASSENGERS – The driver and front seat passengers of a public or private motor vehicle are required to wear or use their seat belt devices while inside a vehicle with running engine on any road or thoroughfare; Provided, that, for private vehicles, except for jeeps, jeepneys, vans, buses and such other private vehicles as may be determined in the Implementing Rules and Regulations of Republic Act No. 8750, otherwise known as, the "Seat Belts Use Act of 1999," front and back seat passengers are likewise required to use their seat belt devices at all times.

QUEZON CITY PUBLIC LIBRARY

In the case of public motor vehicles, the driver shall be required to immediately inform and require the front seat passengers upon boarding a vehicle of running engine to wear the prescribed seat belts. Any passenger who refuses to wear seat belts shall not be allowed to continue his/ her trip.

For special public service vehicles such as school services and other similar vehicles, seat belt devices should be provided and used by both drivers and front seat passengers and the first row passengers immediately behind the driver at all times while inside a vehicle of running engine.

For jeepneys, the driver and front seat passenger shall be required, at the minimum, to use a pelvic restraint or lap belt installed in the vehicle.

SECTION 7. ANTI-DISTRACTED DRIVING.

Section 7.1. Prohibition on use of Mobile Devices while Driving.

Drivers are prohibited from using mobile communications or entertainment devices while driving whether in motion or temporarily stopped at a red light. Provided, that the hands-free use of mobile communications devices and other navigation devices for communication and navigation shall be permitted. Provided, further, that, the placement of the mobile communications device or the hands-free device does not interfere with the field of view of the driver. Provided, finally, that answering of phone calls and setting-up of the navigation device shall only be allowed when the vehicle is not in motion and is parked at an area appropriate for parking.

It shall be prohibited to use or install modified front visors, rear view mirrors and other in-vehicle gadgets if installed in a manner that obstructs the driver's field of view.

Section 7.1.1. Prohibition for Student Permit Holders to use Hands-Free Devices.

Student drivers or student permit holders are prohibited from using mobile communication or entertainment devices while driving whether for communication or navigation and whether hands-free or otherwise.

QUEZON CITY PUBLIC LIBRARY

Section 7.1.2. Exceptions.

The provisions of this Section shall not apply during the following instances:

a. Using a mobile phone for emergency purposes, including but not limited to, an emergency call to a law enforcement agency, health care provider, Bureau of Fire Protection or other emergency services, agency or entity; and

b. Using a mobile phone while operating an emergency vehicle such as an ambulance, a fire truck, and other vehicles providing emergency assistance, in the course and scope of his or her duties.

Section 7.2. Prohibition on Obstruction of the Driver's Field of View.

The driver's field of view shall at all times, remain unobstructed. No item or object shall be placed on the front windshield or on the dashboard in such a manner as to obstruct the driver's field of view.

Signs, stickers, posters or any other non-transparent material shall be prohibited from being placed upon the front windshield of a vehicle, except for stickers required by the LTO, LTFRB, homeowners' associations or building owners. These stickers shall only be placed at the lower or upper hand corner of the front windshield.

SECTION 8. PEDESTRIAN SAFETY.

Section 8.1.Duties of Pedestrians.

Pedestrians have the following duties under the City Traffic Code:

a. When on a footway, marked cross-walk or pedestrian crossing, to keep as close as practicable to the right side of the footway;

b. When crossing a thoroughfare at an intersection, to keep right of the pedestrian crossing in the opposite direction;

QUEZON CITY PUBLIC LIBRARY

c. When crossing a thoroughfare or portion of a thoroughfare, to do so promptly by shortest and most direct route to the thoroughfare boundary as may be practicable.

Section 8.2. Restrictions on Pedestrians.

Pedestrians are prohibited from doing the following acts, which shall constitute the offense of jaywalking:

a. Standing on any portion of the road while waiting to board a vehicle;

b. Proceeding from a footway toward a vehicle that has not fully stopped for the purpose of boarding it;

c. Alighting from or boarding a moving vehicle;

d. Alighting from or boarding a vehicle at an area where loading and unloading is prohibited;

e. Remaining on a pedestrian crossing or marked cross-walk longer than is necessary for the purpose of passing through the thoroughfare with reasonable dispatch;

f. Standing on a footway or sidewalk so as to inconvenience, obstruct, hinder or prevent the free passage of any other pedestrian;

g. Using mobile communications or entertainment devices including earphones, head sets and/or other devices that may impede sense of hearing and sense of sight while crossing.

SECTION 9. GENERAL DRIVING RULES.

Section 9.1. Overtaking.

When overtaking a moving vehicle, the driver shall turn on the appropriate signal light and safely pass to the left of that vehicle. He/she shall not switch lanes or drive in front of the moving vehicle until his/her vehicle is safely clear. Provided, that, where a thoroughfare has two or more marked lanes, a vehicle may overtake and pass to the right of a moving vehicle, if traffic conditions permit him/her to do so safely.

The driver of a vehicle being overtaken shall not increase the speed of his/her vehicle until it has been completely passed by the overtaking vehicle and shall yield in favor of the latter.

Section 9.2. Giving Way at Intersections.

A driver approaching or passing through an intersection shall exercise special care and, where appropriate, shall drive at a reduced speed. Except where traffic control signals are in place, the driver of a vehicle that is approaching an intersection shall give way to the vehicle that entered the intersection first; Provided, that, where the two vehicles entered the intersection at the same time, the vehicle on the left shall give way.

Section 9.3. Giving Way in Rotundas.

In a roundabout or rotunda, the first vehicle to enter takes precedence over a vehicle approaching or about to enter the rotunda.

Within the rotunda, drivers must give way to vehicles intending to leave the nearest exit point.

Section 9.4. Prohibition against Counter flowing.

No driver shall be allowed to drive his/her vehicle in the direction opposite to the flow of traffic that he/she is traversing at any time and for any purpose, unless he/she is expressly authorized by a law enforcement officer.

Section 9.5. Parking Near Curves.

No person shall park or leave a vehicle unattended on or near a crest or curve of the road that poses a risk to turning vehicles, unless an approaching driver from the rear would have a clear view of the vehicles for a distance of at least forty-five (45) meters.

Section 9.6. Prohibition against Blocking the Yellow Traffic Box.

QUEZON CITY PUBLIC LIBRARY

No driver shall allow his vehicle to straddle or block the yellow traffic box at any time. Any vehicle straddling or blocking the yellow traffic box when the red traffic light is on shall suffer the next higher penalty provided under Section 3, Article VII hereof.

ARTICLE VI – POST-CRASH CARE

SECTION 1. QC EMERGENCY HOTLINE – The Quezon City Government shall maintain an emergency hotline ("QC Emergency Hotline") that shall receive calls seeking emergency response. The DRRMO shall be responsible for dispatching emergency responders to sites of emergency and coordinating with hospitals and the Lead Agency for the purpose of responding to the emergency.

Section 1.1. Information Campaign on QC Emergency Hotline.

The Lead Agency, in coordination with the City Disaster Risk Reduction Management Office (DRRMO), shall conduct an information campaign on the City Emergency Hotline.

Section 1.2. Procedure for Dispatching Emergency Responders.

The procedure for dispatching emergency responders shall be as follows:

a. call made to the City Emergency Hotline shall be received by a trained call-taker who is responsible to take down all vital information regarding the emergency, such as, but not limited to, the following:

   i. Type of emergency;

   ii. Information on the victim/ s and persons involved;

   iii. Type of injury, if any, and the severity;

   iv. Address;

   v. Telephone number;

   vi. First aid provided, if any;

   vii. Contact information of caller, with consent.

b. The call-taker shall alert and coordinate with the relevant local offices or departments of the emergency who have stationed officers at the DRRMO center (e.g. PNP/ MMDA/ DPOS/ QC Red Cross, etc.).

QUEZON CITY PUBLIC LIBRARY

b. The call-taker shall immediately endorse the call to the nearest emergency responder, such as the Barangay Emergency Response Team.

c. The emergency responders shall confirm their capacity and availability to respond. Should they be unavailable, the call-taker shall endorse the matter to the DRRMO.

d. The call-taker and the relevant office or department shall dispatch the emergency responders.

e. The call-taker and relevant office or department shall closely monitor the status of the emergency responders.

f. The call-taker shall record the incident.

Section 1.2.1. Coordination with 911 for Uniform Data Collection and Response.

The DRRMO shall coordinate with the 911 emergency response team to develop a uniform system for data collection and systematic response.

Section 1.3. Barangay Emergency Response Teams.

All Barangays shall have a Barangay DRRMO with a functioning emergency response team.

Section 1.3.1. First Response.

The Barangay Emergency Response Team covering the area where an emergency occurred shall be considered the first responder to the emergency.

Section 1.3.2. Resources for Emergency Response.

Within thirty (30) days from the effectivity of this Ordinance, all Barangays must submit a report to the Lead Agency identifying the resources it needs in order to effectively function as first responder, including but not limited to, the hiring of new personnel, equipment, resources for the maintenance and repair of equipment, etc.

QUEZON CITY PUBLIC LIBRARY

The Barangay Emergency Response Team shall be responsible for maintaining all its equipment and shall submit an annual inventory of its emergency response equipment with information on the status of the equipment.

The Lead Agency shall, from time to time, audit the equipment of the barangay emergency response teams that consistently fail to provide a satisfactory response to emergencies.

Section 1.3.3. First Aid Training.

All members of the Barangay Emergency Response Team shall undergo regular training on rendering first-aid response and relief, basic life support, and extraction. The Lead Agency, in coordination with the DRRMO and the barangay, shall be in charge of the training and the corresponding certification of the Barangay Emergency Response Team members.

Section 1.4. All law enforcement officers to train on first aid.

All law enforcement officers shall undergo training on first aid response and relief, basic life support, and extraction. The Lead Agency, in coordination with the DRRMO, shall be responsible for organizing first aid response and relief training and certification for law enforcement officers.

Section 1.5. DRRMO to provide free first responder training to communities regularly.

The DRRMO shall provide regular free first aid response and relief training, basic life support and, extraction every year, and invite communities, barangay volunteers and other stakeholders. The DRRMO is likewise authorized to provide free first responder trainings to communities and other stakeholders and volunteers, upon their written request.

QUEZON CITY PUBLIC LIBRARY
LAW RESEARCH

SECTION 2. COORDINATION WITH HOSPITAL TRAUMA CARE PROVIDERS – The DRRMO shall coordinate with the City Health Officer in developing and disseminating a directory of hospital trauma care providers. The Lead Agency shall build a coordination network between the emergency responders and hospital trauma to strengthen the emergency response of the City.

SECTION 3. SOCIAL SERVICES – The road crash victim or his/her family may avail assistance from the City Social Services Development Department.

SECTION 4. ROAD CRASH INVESTIGATION – The Lead Agency shall investigate fatal crashes occurring within Quezon City for purposes of policy development. Findings from the investigation shall be submitted to the Road Safety Working Group and/or the appropriate office for appropriate action on how to prevent similar incidents from occurring.

SECTION 5. MONITORING AND EVALUATION OF RESPONSE TIME – The DRRMO shall monitor and evaluate the efficiency of the City's post-crash response through the monitoring and recording of response times from the time the call was received to the time that relief is rendered.

The DRRMO shall identify and recognize the Barangay Emergency Response Team with the fastest and most frequent response times, and the Barangay Emergency Response Team that consistently fails to respond to emergencies and shall make recommendations on incentives to improve response times.

SECTION 6. REPORTING – The DRRMO shall submit an annual report to the Lead Agency and the Road Safety Working Group on the number of road safety emergency calls received, response times of DRRMO and the response time and frequency of response of Barangay Emergency Response Teams.

ARTICLE VII – FINES AND PENALTIES

SECTION 1. PENALTY FOR VIOLATIONS UNDER ARTICLE III.

Violations under Article III shall warrant the following fines and penalties:

QUEZON CITY PUBLIC LIBRARY

	First Offense	Second Offense	Third & Succeeding Offenses
Section 4.1.1. Defacement, alteration or installation of road signs without authorization	Fine of P2,000.00	Fine of P3,500.00 or 1 hour Community Service	Fine of P5,000.00 with 3 months imprisonment at the court's discretion
Section 8.1.3. Prohibition on Using, Straddling or Blocking Pedestrian Lanes	Fine of P500.00	Fine of P1,000.00 or 1 hour Community Service	Fine of P2,000.00 with 30 days imprisonment at the court's discretion
Section 8.2.2. Prohibition on Using, Straddling or Blocking Bicycle Lanes	Fine of P500.00	Fine of P1,000.00 or 1 hour Community Service	Fine of P2,000.00 with 30 days imprisonment at the court's discretion
Section 8.3.1. Prohibition against Parking on Designated Parking Slots for Persons With Disabilities and other groups w/ special needs	Fine of P500.00	Fine of P1,000.00 or 1 hour Community Service	Fine of P2,000.00 with 30 days imprisonment at the court's discretion
Section 8.4.1 Prohibition against use of sidewalks by motor vehicles	Fine of P2,000.00	Fine of P3,500.00 or 1 hour Community Service	Fine of P5,000.00 with 3 months imprisonment at the court's discretion

QUEZON CITY PUBLIC LIBRARY

Section 8.4.2 Prohibition against blocking of sidewalk for parking or other purposes	Fine of P500.00	Fine of P1,000.00 or 1 hour Community Service	Fine of P2,000.00 with 30 days imprisonment at the court's discretion

SECTION 2. PENALTY FOR VIOLATIONS UNDER ARTICLE IV.

Violations under Article IV shall warrant the following fines and penalties:

	First Offense	**Second Offense**	**Third & Succeeding Offenses**
Section 1.1 Failure to maintain the minimum standards during the duration of the franchise	Fine of P2,000.00	Fine of P3,500.00 with recommendation to LTFRB for suspension of franchise	Fine of P5,000.00 with 3 months imprisonment at the court's discretion and recommendation to LTFRB of revocation of franchise, and recommendation for revocation of license
Section 1.1.2. Prohibition on Private Use of Tricycles	Fine of P2,000.00	Fine of P3,500.00	Fine of P5,000.00 with 3 months imprisonment at the court's discretion and recommendation for revocation of license

QUEZON CITY PUBLIC LIBRARY
LAW RESEARCH

Section 1.1.3. Limit on Number of Passengers of Tricycles	Fine of P500.00 or 1 hour Community Service	Fine of P1,000.00 or 2 hours Community Service	Fine of P2,000.00 with 30 days imprisonment, at the court's discretion and recommendation for revocation of license
Section 1.1.4. Limitation on Route of Tricycles	Fine of P2,000.00	Fine of P3,500.00 with recommendation to TFB for suspension of franchise	Fine of P5,000.00 with 3 months imprisonment at the court's discretion and recommendation for revocation of license
Section 1.2.1. Design Standards for Pedicabs	Fine of P500.00 or 1 hour Community Service, and immediate impoundment of pedicab	Fine of P1,000.00 or 2 hours Community Service, and immediate impoundment of pedicab	Fine of P2,000.00 with 30 days imprisonment at the court's discretion and immediate impoundment of pedicab, and recommendation for revocation of license
Section 1.2.2. Prohibition on Pedicabs without Semi-Enclosed Sidecars	Fine of P500.00, or 1 hour Community Service, and immediate impoundment of pedicab	Fine of P1,000.00 or 2 hours Community Service, and immediate impoundment of pedicab	Fine of P2,000.00 with 30 days imprisonment at the court's discretion and immediate impoundment of pedicab, and recommendation for revocation of license

QUEZON CITY PUBLIC LIBRARY

Section 1.2.3. Limit on Number of Passengers allowed on Pedicabs	Fine of P500.00 or 1 hour Community Service	Fine of P1,000.00 or 2 hours Community Service	Fine of P2,000.00 with 30 days imprisonment at the court's discretion and recommendation for revocation of license
Section 1.2.4 Limitation on Route of Pedicabs	Fine of P2,000.00	Fine of P3,500.00 with recommendation to LTFRB for suspension of franchise	Fine of P5,000.00 with 3 months imprisonment and recommendation for revocation of license
Section 4. Failure to maintain the minimum standards of private vehicles passing through Quezon City	Fine of P500.00 or 1 hour Community Service	Fine of P1,000.00 or 2 hours Community Service	Fine of P2,000.00 with 30 days imprisonment at the court's discretion

SECTION 3. PENALTY FOR VIOLATIONS UNDER ARTICLE V.

Violations under Article V shall warrant the following fines and penalties:

	First Offense	**Second Offense**	**Third & Succeeding Offenses**
Section 1. Speeding	Fine of P2,000.00 or 1 hour Community Service, and attendance in a Road Safety Seminar	Fine of P3,500.00 or 2 hours Community Service, and attendance in a Road Safety Seminar	Fine of P5,000.00 with 6 months imprisonment at the court's discretion and recommendation for revocation of license

Section 1.8. Prohibition against Street Racing	Fine of P2,000.00 or 1 hour Community Service, attendance in a Road Safety Seminar, and immediate impoundment of motor vehicle	Fine of P3,500.00 or 2 hours Community Service, attendance in a Road Safety Seminar, and immediate impoundment of motor vehicle	Fine of P5,000.00 with 3 months imprisonment at the court's discretion and recommendation for revocation of license
Section 2. Drink and Drug Driving	Fine of P2,000.00 or 1 hour Community Service, and attendance in a Road Safety Seminar	Fine of P3,500.00 or 2 hours Community Service, and attendance in a Road Safety Seminar	Fine of P5,000.00 with 6 months imprisonment at the court's discretion and recommendation for revocation of license
Section 3. Use of Motorcycle Helmets	Fine of P500.00 or 1 hour Community Service, with impoundment, and attendance in a Road Safety Seminar	Fine of P1,000.00 or 2 hours Community Service, with impoundment, and attendance in a Road Safety Seminar	Fine of P2,000.00 with 3 months imprisonment at the court's discretion with impoundment and recommendation for revocation of license
Section 4. Children's Safety Aboard Motor Vehicles	Fine of P2,000.00 or 1 hour Community Service, and attendance in a Road Safety Seminar	Fine of P3,500.00 or 2 hours Community Service, and attendance in a Road Safety Seminar	Fine of P5,000.00 with 6 months imprisonment at the court's discretion and recommendation for revocation of license

Section 5. Motorcycle Overloading	Fine of P500.00 or 1 hour Community Service, and attendance in a Road Safety Seminar	Fine of P1,000.00 or 2 hours Community Service, and attendance in a Road Safety Seminar	Fine of P2,000.00 with 3 months imprisonment at the court's discretion and recommendation for revocation of license
Section 5.2. Prohibition on Use of Motorcycles for Carrying Passengers for a Fee	Fine of P2,000.00 or 1 hour Community Service, and attendance in a Road Safety Seminar	Fine of P3,500.00 or 2 hours Community Service, and attendance in a Road Safety Seminar	Fine of P5,000.00 with 6 months imprisonment at the court's discretion and recommendation for revocation of license
Section 6. Seatbelt Use for Drivers and Passengers	Fine of P500.00 or 1 hour Community Service, and attendance in a Road Safety Seminar	Fine of P1,000.00 or 2 hours Community Service, and attendance in a Road Safety Seminar	Fine of P2,000.00 with 3 months imprisonment at the court's discretion and recommendation for revocation of license
Section 7. Anti-Distracted Driving	Fine of P2,000.00 or 1 hour Community Service, and attendance in a Road Safety Seminar	Fine of P3,500.00 or 2 hours Community Service, and attendance in a Road Safety Seminar	Fine of P5,000.00 with 6 months imprisonment at the court's discretion and recommendation for revocation of license
Section 8.2 Restrictions on Pedestrians	Fine of P500.00 or 1 hour Community Service, and attendance in a Road Safety Seminar	Fine of P1,000.00 or 2 hours Community Service, and attendance in a Road Safety Seminar	Fine of P2,000.00 with 3 months imprisonment at the court's discretion
Section 9.4 Prohibition against Counter flowing	Fine of P2,000.00 or 1 hour Community Service, and attendance in a Road Safety Seminar	Fine of P3,500.00 or 2 hours Community Service, and attendance in a Road Safety Seminar	Fine of P5,000.00 with 6 months imprisonment at the court's discretion and recommendation for revocation of license

Section 9.6. Prohibition against Blocking the Yellow Traffic Box	Fine of P2,000.00 or 1 hour Community Service, and attendance in a Road Safety Seminar	Fine of P3,500.00 or 2 hours Community Service, and attendance in a Road Safety Seminar	Fine of P5,000.00 with 6 months imprisonment at the court's discretion and recommendation for revocation of license

SECTION 4. IMPOUNDMENT – The penalty of impoundment shall entail seizure and confiscation of the vehicle and storage of the same in the authorized impounding area. Failure to settle the necessary fines and redeem the impounded vehicle shall subject the same to public auction.

SECTION 5. IMPRISONMENT – The Lead Agency, with the assistance of the Office of the City Legal Officer, shall be responsible for the filing of cases with the appropriate court for the third and subsequent violations of this Ordinance which, subject to the discretion of the presiding judge, may result in the imposition of the penalty of imprisonment.

SECTION 6. COMMUNITY SERVICE – Community service may be performed, at the option of the offender in lieu of payment of fines. Community service may include any kind of activity determined by the Lead Agency that will redound to the benefit of the community and the City. The offender shall report to the office of the Lead Agency for community service assignments.

SECTION 7. CONFISCATION OF LICENSE – The confiscation of the offending driver's license shall be a concurrent penalty. For third offenses, the Lead Agency shall make a recommendation to the LTO for the revocation of the offender's license. The offender shall not be allowed to apply for a new license. The Lead Agency shall ensure connectivity with the LTO information technology system for coordination on the recording of violations and imposition of penalties.

ARTICLE VIII – ENFORCEMENT AND ADJUDICATION

SECTION 1. UNIFORM ENFORCEMENT PROCEDURE – There shall be a uniform minimum enforcement procedure for violations of this Ordinance, as provided under the City Traffic Code:

QUEZON CITY PUBLIC LIBRARY

Section 1.1. Violations of Drivers.

a. Upon detection of a violation, the law enforcement officer shall flag the offending driver or motor vehicle down or, if he/she is stationary, call his/her attention immediately.

b. Upon apprehension, the law enforcement officer shall inform the offending driver of the violation, and demand the presentation of the driver's license of the offending driver and the motor vehicle Certificate of Registration (CR) and Official Receipt (OR) of registration.

c. The law enforcement officer shall confiscate the driver's license and issue an Ordinance Violation Receipt (OVR) to the offender, which shall serve as the driver's temporary driver's license for five (5) days from the date of issuance.

d. The law enforcement officer shall indicate the following information in the OVR:

   i. name and address of the driver;

   ii. driver's license number and date and place of issuance;

   iii. issuing agency of the driver's license;

   iv. name and address of the motor vehicle owner;

   v. registering agency of the motor vehicle;

   vi. certificate of registration number;

   vii. Violation committed.

e. An OVR issued by other local government units in Metropolitan Manila shall be honored by the law enforcement officer. In case of subsequent violations, the law enforcement officer shall confiscate the presented OVR and issue a new receipt, indicating both the previous and present violation and the issuing authorities.

QUEZON CITY PUBLIC LIBRARY

f. The driver shall have five (5) days within which to settle the fine and comply with the attached penalties, or to file a protest in accordance with Section 3 herein. An additional surcharge of five percent (5%) for each day of delay or failure to pay the appropriate fine shall be imposed until the full amount of fine and surcharge is paid.

g. Failure to file a protest within the period shall be deemed a waiver of the right to protest and shall result in the automatic resolution of the violation against the driver and/or registered owner.

Section 1.2. Violations of Other Individuals.

Pedestrians and other individuals who violate this Ordinance shall be immediately apprehended and taken immediately to the nearest office or satellite office of the Lead Agency to pay the appropriate penalty or file a protest in accordance with Section 3 hereof.

The law enforcement officer may likewise file a complaint against the offender before the Office of the City Prosecutor.

Section 1.3. Violations of Business Establishments or Corporate Entities.

In case of violations of business establishments or corporate entities, the law enforcement officer shall demand the presentation of the Business permit or Building Permit, where necessary, and indicate the details found thereon in the OVR. Should the offender not be engaged in any business requiring a permit, his/her name and address shall be ascertained and indicated in the OVR. The offender shall have five (5) days to settle the fine or file a protest in accordance with Section 3 hereof.

SECTION 2. ENFORCEMENT PROCEDURE FOR SPECIAL CASES.

Section 2.1. Speed Enforcement Procedure.

The enforcement of speed limits within the City shall be uniformly conducted, including gated subdivisions, in accordance with the following procedure:

MUNTINLUPA CITY PUBLIC LIBRARY
LAW RESEARCH

Section 2.1.1. Violation detected using speed guns.

a. Upon detection of a speeding violation using speed guns, the law enforcement officer shall flag the offending driver or motor vehicle down.

b. Upon apprehension, the law enforcement officer shall inform the offending driver of the violation and show him/her the speed detected by the speed gun. The law enforcement officer shall demand the presentation of the driver's license of the offending driver and motor vehicle certificate of registration and official receipt of registration.

c. The law enforcement officer shall confiscate the driver's license and issue an Ordinance Violation Receipt (OVR) against the offender, which shall serve as the driver's temporary driver's license for five (5) days from the date of issuance.

d. The law enforcement officer shall indicate the following information in the OVR:

   i. name and address of the driver;
   ii. driver's license number and date and place of issuance;
   iii. issuing agency of the driver's license;
   iv. name and address of the motor vehicle owner;
   v. registering agency of the motor vehicle;
   vi. certificate of registration number;
   vii. violation committed.

e. An OVR issued by other local government units in Metropolitan Manila shall be honored as temporary driver's license by the law enforcement officer. In case of subsequent violations, the law enforcement officer shall confiscate the presented OVR and issue a new receipt, indicating both the previous and present violation and the issuing authorities.

f. The driver shall have five (5) days within which to settle the fine or to file a protest in accordance with Section 3 herein. An additional surcharge of five percent (5%) for each day of delay or failure to pay the appropriate fine shall be imposed until the full amount of fine and surcharge is paid.

VALENZUELA CITY PUBLIC LIBRARY

g. Failure to file a protest within the period shall be deemed a waiver of the right to protest and shall result in the automatic resolution of the violation against driver and/or the registered owner.

Section 2.1.2. Violation detected using speed enforcement cameras.

a. Upon detection of a speeding violation using speed enforcement cameras, the Lead Agency shall issue a notice to the registered owner of the motor vehicle via registered mail.

b. The notice shall indicate the speed limit of the road where the violation was committed and shall include a photograph of the vehicle with the speed detected by the camera at the time of violation shown legibly.

c. The registered owner shall be presumed to be the driver of the motor vehicle unless he/she can prove that the motor vehicle was driven by another person.

d. The registered owner shall have five (5) days from the date of receipt of the notice within which to settle the fine indicated in the notice, or to file a protest in accordance with Section 3 herein. Failure to file a protest within the period shall be deemed a waiver of the right to protest, and shall result in the automatic resolution of the violation against the registered owner.

e. In case of a protest based on the identity of the driver, the registered owner shall have the duty to provide under oath the name the of the driver of the motor vehicle, his/her known address, and other details as may be required by the Lead Agency. Except in cases where the protest is based on stolen vehicles, no protest based on the identity of the driver shall be allowed unless the alleged driver at the time of violation is identified.

Upon a finding that the registered owner is not the driver of the motor vehicle at the time of the violation, the Lead Agency shall send a notice to the driver, as identified by the registered owner subject to the requirements herein.

...EZON CITY PUBLIC LIBRARY

Section 2.2. Drink-Driving Enforcement Procedure.

Section 2.2.1. Violation.

The enforcement of this section shall be uniformly conducted in accordance with the following procedure provided under Ordinance No. SP-2064, S-2011:

a. The law enforcement officer shall cause the driver suspected of driving under the influence of alcohol to undergo any or a combination of the following preliminary field sobriety tests, prior to the initial test for blood alcohol concentration:

   i. Walk a straight line test;

   ii. Finger to nose test;

   iii. Stand on one leg test;

   iv. Horizontal gaze nystagmus ("follow the penlight").

b. In the event that the suspected driver fails any of the preliminary sobriety tests, or when there is strong reason to believe that he or she is intoxicated, the law enforcement officer is mandated to subject him or her to the BAC breath test with a portable breath analyzing device or any modification thereof.

c. In the event that the driver's BAC exceeds 0.05%, he or she shall be asked to park at a nearby designated parking area and shall be prohibited from driving until such time that he or she is able to comply with the allowed BAC. If he or she refuses to comply, he/she shall be requested to alight the vehicle and shall be apprehended for violation of this Ordinance.

d. The law enforcement officer shall inform the offending driver of the violation, and demand the presentation of the driver's license of the offending driver and the motor vehicle certificate of registration and official receipt of registration.

AURORA CITY PUBLIC LIBRARY

e. The law enforcement officer shall confiscate the driver's license and issue an Ordinance Violation Receipt (OVR) to the offender which shall serve as the driver's temporary driver's license for five (5) days from the date of issuance.

f. The law enforcement officer shall indicate the following information in the OVR:

   i. name and address of the driver;

   ii. driver's license number and date and place of issuance;

   ii. agency of the driver's license;

   iii. name and address of the motor vehicle owner;

   iv. registering agency of the motor vehicle;

   v. certificate of registration number;

   vi. Violation committed.

g. An OVR issued by other local government units in Metropolitan Manila shall be honored by the law enforcement officer. In case of subsequent violations, the law enforcement officer shall confiscate the presented OVR and issue a new receipt indicating both the previous and present violation and the issuing authorities.

h. The driver shall have five (5) days within which to settle the fine and comply with the attached penalties, or to file a protest in accordance with Section 3 herein. An additional surcharge of five percent (5%) for each day of delay or failure to pay the appropriate fine shall be imposed until the full amount of fine and surcharge is paid.

i. Failure to file a protest within the period shall be deemed a waiver of the right to protest and shall result in the automatic resolution of the violation against the driver and/or registered owner.

CALOOCAN CITY PUBLIC LIBRARY

Section. 2.2.2 Random Sobriety Checkpoint

a. During random sobriety checks at authorized checkpoints, the law enforcement officer shall flag down every tenth (10th) passing motor vehicle. The law enforcement officer shall explain that a random sobriety check is being conducted pursuant to this ordinance, inform the driver that the proceedings are being recorded by video, and request the driver to undergo a BAC breath test with a portable breath analyzing device or any modification thereof.

b. In the event that the driver's BAC exceeds 0.05%, he or she shall be asked to park at a nearby designated parking area and shall be prohibited from driving until such time that he or she is able to comply with the allowed BAC. If he or she refuses to comply, he/she shall be requested to alight the vehicle and shall be apprehended for violation of this Ordinance.

c. Random sobriety checkpoints shall have appropriate signages. The conduct of random sobriety checkpoints shall be recorded using video cameras and/or body cameras.

d. Law enforcement officers deployed for random sobriety checkpoints shall have a deployment order signed by the head of the Lead Agency and shall wear an identification card with their name and 2x2 photograph. The deployment order shall state the protocol for the random sobriety checkpoint.

e. Law enforcement officers shall record the plate number of all vehicles flagged down, the name, license number and plate number of the driver of the vehicles that fail the BAC.

Section 2.3. Drug-Driving Enforcement Procedure.

Section 2.3.1. Violation.

The enforcement of this section shall be uniformly conducted in accordance with the following procedure provided under Ordinance No. SP-2064, S-2011:

QUEZON CITY PUBLIC LIBRARY

f. An OVR issued by other local government units in Metropolitan Manila shall be honored by the law enforcement officer. In case of subsequent violations, the law enforcement officer shall confiscate the presented OVR and issue a new receipt, indicating both the previous and present violation and the issuing authorities.

g. The driver shall have five (5) days within which to settle the fine and comply with the attached penalties, or to file a protest in accordance with Section 3 herein. An additional surcharge of five percent (5%) for each day of delay or failure to pay the appropriate fine shall be imposed until the full amount of fine and surcharge is paid.

h. Failure to file a protest within the period shall be deemed a waiver of the right to protest and shall result in the automatic resolution of the violation against the driver and/or registered owner.

SECTION 3. PROTEST ADJUDICATION – The Traffic Adjudication Board created under the Lead Agency shall continue to have jurisdiction over protests in relation to this Ordinance. The process of filing a protest is as follows:

a. Within five (5) days from the issuance of the OVR, the driver or registered owner may file a protest with the Traffic Adjudication Board, attaching therein all evidence which he/she may wish to present.

b. The Traffic Adjudication Board shall conduct an investigation and hearing, and shall have the authority to issue summons to law enforcement officers, drivers and registered owners of motor vehicles, and receive evidence in relation to the protest.

c. Within thirty (30) days from the filing of the protest, the Traffic Adjudication Board shall decide on the protest and inform the driver and/or registered owner of its decision.

QUEZON CITY PUBLIC LIBRARY

In case of dismissal of the protest, the driver or registered owner shall have five (5) days within which to settle the fine indicated in the decision. Otherwise, the driver or registered owner shall be issued a clearance by the Lead Agency, indicating that the driver/registered owner has been cleared of the violation, cancelling the OVR and directing the appropriate office to return the confiscated license.

SECTION 4. EFFECT OF FAILURE TO SETTLE FINES AND SERVE PENALTIES – In the event of failure to settle the fines or penalties within the period provided in this Ordinance, the Lead Agency shall after ninety (90) days from the time the fine or penalty becomes due, file a complaint before the appropriate court for the enforcement of said fines or penalties. The Lead Agency shall also submit the information of the offending driver and registered owner to the LTO, requesting the said office to hold in abeyance the registration of the motor vehicle involved in the violation until such time that the fine is settled and/or the penalty is served.

ARTICLE IX – MISCELLANEOUS PROVISIONS

SECTION 1. BUDGET AND APPROPRIATION – The amount of Fifty Million Pesos (Php50,000,000.00) from the general fund of the Quezon City Government is hereby appropriated for the first year of implementation of this Ordinance, with the following priority procurement:

1. *Procurement of laser speed guns*
2. *Procurement of laser speed cameras*
3. *Procurement of breath analyzers*
4. *Procurement of Drug Testing Kits*
5. *Body cameras*
6. *Training of law enforcement officers*
7. *Manufacture and installation of road signs*
8. *Information Campaign Materials*
9. *Publication of Information Campaign Materials*
10. *Additional human resources*
11. *Printing of OVR*
12. *IT requirements for connectivity with the LTO information technology system*

QUEZON CITY PUBLIC LIBRARY

All fines collected pursuant to this Ordinance shall be earmarked for implementation of road safety ordinances and policies in addition to the budget to be appropriated from the general fund for subsequent years, which shall not be less than the amount of the prior year's appropriation.

Other items required to be procured for the implementation of this Ordinance or the Road Safety Action Plan shall be submitted by the Lead Agency or responsible office or agency as part of their budget plan for the succeeding years.

SECTION 2. PROCUREMENT – The Office of the Mayor is hereby authorized to cause the procurement of the items enumerated in the preceding section in accordance with the above budget program and in compliance with Republic Act No. 9184 or the Government Procurement Reform Act.

SECTION 3. INFORMATION, EDUCATION, AND COMMUNICATION CAMPAIGN – The Lead Agency, in coordination with the Public Affairs Information Office and Communication Coordination Center, shall conduct a continuing information, education and communication campaign on the implementation of this Ordinance and other enforcement activities.

SECTION 4. IMPLEMENTING RULES AND REGULATIONS – The Road Safety Working Group led by the Lead Agency, shall within sixty (60) days after the effectivity of this Ordinance, formulate the necessary rules and regulations for its effective implementation.

SECTION 5. REPEALING CLAUSE – All Ordinances, Resolutions, Executive Orders, Memorandum Circulars and Administrative Orders or parts thereof which are inconsistent with any provisions of this Ordinance are hereby repealed or modified accordingly.

SECTION 6. SEPARABILITY CLAUSE – If any provision of this Ordinance is declared void or unconstitutional, the remaining portions shall not be affected and shall remain in full force and effect.

QUEZON CITY PUBLIC LIBRARY

SECTION 7. EFFECTIVITY – This Ordinance shall take effect within fifteen (15) days after its publication in a newspaper of general circulation and after posting of copies of this Ordinance in conspicuous locations within Quezon City for a period of fifteen (15) days.

ENACTED: September 25, 2017.

MA. JOSEFINA G. BELMONTE
Vice Mayor
Presiding Officer

ATTESTED:

Atty. JOHN THOMAS S. ALFEROS III
City Gov't. Asst. Dept. Head III

APPROVED: 23 NOV 2017

HERBERT M. BAUTISTA
City Mayor

CERTIFICATION

This is to certify that this Ordinance was APPROVED by the City Council on Second Reading on September 25, 2017 and was PASSED on Third/Final Reading on October 9, 2017.

Atty. JOHN THOMAS S. ALFEROS III
City Gov't. Asst. Dept. Head III

QUEZON CITY PUBLIC LIBRARY.
LAW RESEARCH