



OFFICE OF THE SANGGUNIANG BAYAN

EXCERPTS FROM THE MINUTES OF THE 98TH REGULAR SESSION OF THE 13TH SANGGUNIANG BAYAN OF LOON, PROVINCE OF BOHOL HELD ON THE 24TH DAY OF JULY 2018 AT THE SANGGUNIANG BAYAN (SB) OFFICE, LOON, BOHOL-

PRESENT:

Hon. Lloyd Peter M. Lopez, M.D.	Vice Mayor, Presiding Officer
Hon. Pedro M. Literatus, Jr.	SB Member
Hon. Timoteo L. Legitimas	SB Member
Hon. Emerson S. Relampagos	SB Member
Hon. Lydia L. Almasa	SB Member
Hon. Zaide Y. Coritico	SB Member
Hon. Nilo P. Branzuela	SB Member
Hon. Judy Marie H. Veloso	SB Member
Hon. Kristel P. Tecson	SB Member
Hon. Emalinda A. Veloso	LnB President, Ex-Officio Member
Hon. April Joseph L. Corciega	SKMF President, Ex-Officio Member

ABSENT:

NONE

MUNICIPAL ORDINANCE NO. 18-005 Series of 2018

THE TRANSPORTATION AND TRAFFIC CODE OF THE MUNICIPALITY OF LOON, BOHOL

ARTICLE I

SHORT TITLE AND SCOPE

Section 1. Title of Code. This Code shall be known as the Transportation and Traffic Code of the Municipality of Loon, Bohol.

Section 2. Scope of Code. The provisions of this Code shall administer and control, as far as they apply, the operation of all motor vehicles in the Municipality of Loon.

Section 3. Application. This Code shall apply to all kinds of vehicles for public or private use, which avails any of the roads, public or private, within the territorial jurisdiction of Loon.

ARTICLE II

DEFINITION OF TERMS

Section 4. Words and Phrases Defined. As used in this Code, the following terms are defined:

- Alleys* – refer to a narrow street, passageway or by way.
- Automobiles* – a usually four-wheeled automotive vehicle designed for passenger transportation or private services.
- Center Line* – shall mean continuous or broken line marked upon the surface of roadway by point or by other traffic control devices to indicate such portions of the roadway allocated to traffic proceeding in the two opposite directions.
- Driver* – shall mean any person duly licensed to mechanically operate a motor vehicle.
- Garage* – shall mean any building in which two or more motor vehicles, either with or without drivers, are kept ready for hire to the public, but shall not include street stands,

public services stations, or other public places designated by proper authority as parking spaces for motor vehicles for hire while awaiting or soliciting business.

- f. *Highways* – shall mean every public thoroughfare, public boulevard, driveway, avenue, park alley and callejon, but shall not include roadway upon grounds owned by private persons, colleges, or other similar institutions.
- g. *Hitching* - passenger who rides on the outside of any vehicle.
- h. *Lanes* – refer to a narrow pathway or by way.
- i. *Marked Crosswalk* – shall mean any portion of a roadway at an intersection or elsewhere distinctly indicated for the pedestrians crossing by lines or other art marking on the surface.
- j. *Motorcycle for rent* – shall mean a motorcycle offered for rent or for use in consideration of a sum of money, commonly known as “habal-habal”. However, in all instances, the motorcycle shall be driven by a duly licensed driver.
- k. *Motorized Tricycle Operator’s Permit (MTO)* – is the document issued by the Sangguniang Bayan granting franchise or license to operate issued to a person, natural or juridical, allowing him/it to operate motorized tricycle over zones specified therein pursuant to Section 447, 3vi, RA 7160.
- l. *Motor Vehicle* – shall mean any vehicle propelled by any power other than muscular power using the public highways.
- m. *Motor Scooter* – shall mean any motorcycle propelled by a motor which produces not more than (five) 5 horse power.
- n. *Overloading* – an excessive load of passengers or the number of passengers on any vehicle which is more than its maximum capacity.
- o. *Over speeding* – too much speed or rapidity on moving upon travelling, in violation of the speed-limit rules, or reckless driving.
- p. *Owner* – shall mean the actual legal owner of a motor vehicle, in whose name such vehicle is duly registered with the Land Transportation Commission. The “owner” of a government-owned motor vehicle is the LGU, the responsibility of which is assigned to the head of the office/agency to which the said motor vehicle belongs.
- q. *Parking Area* – refers to a designated area reserved for parking of classified vehicles for public or private use, without limit as to its specific time of parking, unless otherwise agreed upon by the Association to which the vehicle-operators are associated, or by virtue of an Executive Order, or any provision of an ordinance appurtenant thereto.
- r. *Parking or parked* – for purposes of this Ordinance, shall mean to include a motor vehicle which is brought to a stop on any side of a street, not prohibited by any rule or regulation, with blinking or hazard lights on but without a driver or left unattended, provided it does not exceed 5 minutes.
- s. *Passenger Vehicle* – shall mean the buses, jeepneys, multi-cabs, V-hire or four to eight (4-8) wheeler vehicles intended to transport passengers with or without cargoes.
- t. *Pedestrian* – means any person who is required to use the marked crosswalk when crossing the highway, avenue and city street or walking on the sidewalk on the side by the Highway.

- u. *Professional Driver* – shall mean any driver paid for driving or operating a motor vehicle, whether for private or public use, or an owner of his own private vehicle, who has an updated professional driver's license.
- v. *Public Road* – includes national, provincial, municipal or barangay roads, maintained at the expense of government funds.
- w. *Private Road* – refers to privately constructed roads at the expense of private funds.
- x. *Public Transport Vehicles* – refers to any vehicles like tricycles, motorcycles-for-hire (habal-habal), jeepneys, buses, multicabs, vans, and related vehicles with respective franchise or authority to operate for public transport services.
- y. *Sidewalk* – refer to a narrow pathway at a side of a road intended for the use of pedestrian.
- z. *Signalized Intersection* – shall mean an intersection where traffic is controlled by official traffic control signal.
- aa. *Stop Line* – shall mean a clearly visible/white or extending across a roadway or any portion thereof to indicate the point at which all vehicles of whatever class are required to stop in compliance with the requirements of this Code.
- bb. *Top Loads* – passenger who rides on to the top area of the vehicle because seats and spaces inside vehicle are fully occupied by passengers /or cargoes.
- cc. *Traffic* – refers to any use of a street for purposes of travel, enjoyed by pedestrians, or passengers of any public or private vehicles, streets cars and other conveyances, or any ridden or herded animals, that affect public safety and convenience.
- dd. *Traffic Control Devices* – shall mean all signs, signals, pavement markings, traffic cones placed or erected by authority of the Municipal Traffic and Management Office (MTMO) or officials having jurisdiction for the purpose of regulating warning or guiding traffic.
- ee. *Traffic Control Signals* – shall mean any device manually or electronically operated by which traffic is alternatively directed to stop and to proceed or is otherwise controlled.
- ff. *Traffic Violator* – shall mean any person who violates any of the provisions of this Transportation and Traffic Code, or any traffic and transportation ordinances, rules, regulations, Executive Orders, circulars, or laws.
- gg. *Trailers* – shall mean a thing having any number of wheels when propelled or intended to be propelled by attachment to a motor vehicle, classified as separate motor vehicle with no power rating.
- hh. *Tricycle* – shall mean a motorcycle with attached cab intended to transport passengers or cargoes.
- ii. *Vehicle* – a machine, usually with wheels and an engine, used for transporting persons or goods; something used on land or roads for public transport or private services.
- jj. *Zone* – an area under special restrictions as to the type of buildings that may be erected.

ARTICLE III

ADMINISTRATIVE

Section 5. Creation of Municipal Franchising and Regulatory Board

- a) Franchise shall mean in this Code as a privilege or right granted by the Sangguniang Bayan to an individual operator of a tricycle pursuant to Section 449,3vi, RA 7160.
(Sec. 1, MO 1996-08a)

- b) The absolute power to grant franchise rests on the Sangguniang Bayan of Loon.
(Sec. 2, MO 1996-08)
- c) There shall be a Franchising Rate which amount shall be determined by the Franchising and Regulatory Board.
(Sec. 3, MO 1996-08)
- d) The Municipal Franchising and Regulatory Board is composed of the Chairman, Chair Committee on Public Works and Utilities; Vice Chairman, Municipal Treasurer and three (3) members: Chief of Police, Chair Committee on Peace and Order and NGO/Private Sector.

Section 6. Municipal Traffic Management Board (MTMB)

- a) *Creation.* – There is hereby created a Municipal Traffic Management Board and shall be known and referred to as the MTMB.
- b) *Composition of the Board.* – The board shall be composed of the following:
 - 1. Chairman - SB Chairman, Committee on Transportation
 - 2. Vice-Chairman - Chief of Police
 - 3. Chief, PNP Traffic Division - member
 - 4. Private Sector Consultant - member
 - 5. One (1) Representative from the Municipal Mayor who is a regular employee
 - 6. MUTRA Head

The private sector consultant and Mayor's representative shall be appointed/designated by the Municipal Mayor.

- c) *Functions and Duties of the Municipal Traffic Management Board.*
 - 1. Conducts periodic review in the implementation of the Municipal Traffic Code and ordinances as well as the reports and the recommendations submitted by the Municipal Traffic Management Office;
 - 2. Evaluates the effectiveness of the traffic management schemes being implemented by the Municipal Government;
 - 3. Reviews the efficiency and effectiveness in the implementation of the Municipal Traffic Code and related ordinances and other rules and regulations by the Municipal Traffic Management Office; and
 - 4. Serves as a consultative and advisory body to the Municipal Mayor and the Sangguniang Bayan Committee on Transportation in matters pertaining to traffic operations and management in the Municipality of Loon, Bohol.

Section 7. Municipal Traffic Management Office (MTMO)

- a) *Creation.* – There is hereby created a Municipal Traffic Management Office directly under the office of the Mayor whose head of office shall be designated by the Municipal Chief Executive.
- b) *Composition.* The Municipal Traffic Management Office (MTMO) shall be composed of three (3) branches or sections, namely: the Administrative Branch; Operation Branch; and the Engineering Branch, with their corresponding duties and functions, to wit:
 - 1. Administrative Branch

- i. To conduct research and survey on land traffic management for the promotion of fast, safe and efficient movements of traffic flow, specially vehicular and pedestrian flow;
- ii. To conduct periodic review of existing ordinances, rules and regulations on land transportation and traffic and recommend amendments, revisions, repeal of ordinances;
- iii. To keep record of all vehicles operating in the Municipality of Loon which shall include the name of the registered owners, users and their addresses and other information relating to the physical identification of motor vehicle;
- iv. To prescribe the specific violation subject to administrative fine or penalty at the Treasurer's Office or any authorized representative of the Treasurer to be imposed to the violators who admit such violation and willing to settle the same with the Office without having the case filed in the court;
- v. To issue summons to violators of the Municipal Traffic Code and other relative to traffic rules and regulations;
- vi. To coordinate and cooperate with other government agencies and entities concerned in any aspect involving public land transportation service with the end in view of affecting continuing improvement of such services;
- vii. To perform such other functions as may be directed by the Chief, MTMO.

2. Operation Branch – thru the PNP Traffic Division & MUTRA

- i. To enforce the provisions of the Municipal Traffic Code and other traffic rules and regulations and supervise traffic aides or enforcers;
- ii. To conduct investigation and hearing of complaints for violations of rules and regulations on land transportation and traffic and to recommend appropriate penalties or other sanctions deemed necessary;
- iii. To conduct investigation on all traffic or vehicular accidents that occurs within the Municipality of Loon;
- iv. To cause the filing of a complaint or information and secure the issuance of warrant of arrest against violators, who fail or refuse to obey the Citation Tickets;
- v. To conduct seminars, workshop, forum assemblies, lakbay-aral for the acceptability and sustainability of policies, rules and regulations on transportation and traffic management;
- vi. To perform such duties and function as may be directed by the Chief, MTMO.

3. Engineering Branch.

- i. To construct, fabricate, improve, maintain, install, repair traffic facilities and equipment, intersections, island and other channelization;
- ii. To coordinate with national and provincial agencies and private agencies and private groups in the maintenance of traffic during road construction, digging and excavation for physical projects;
- iii. To performs such other functions as may be directed by the Chief, MTMO.

1. To plan and prepare a comprehensive traffic management scheme for the Municipality of Loon and recommend to the Municipal Mayor the designation of routes for common carrier buses, jeepneys, multicabs, motorelas, tricycles, habal-habal and other types of vehicles operating in the Municipality of Loon;
2. To implement and enforce the Municipal Traffic Code and ordinances and other municipal traffic rules and regulations;
3. To maintain, improve, fabricate, repair construct and install traffic facilities and equipment, intersection, island and other channelization;
4. To recommend to the Municipal Mayor the designation of what vehicles of government, department and public service corporations shall be authorized emergency vehicles, other than vehicles of the fire department, police vehicles, ambulances and alagad vehicles;
5. To establish, place and maintain traffic signs, signals, pavement marking and other traffic control devices as it may deem necessary when special occasions or emergencies warrant such action, but when there is in its opinion and apparent need for such traffic control devices to remain in use for a period of time exceeding one month; application must be made to the Municipal Council for approval of said traffic control devices;
6. To conduct and carry out continuous information, education and communication activities in support to a dynamic, acceptable and sustainable land transportation program;
7. To implement and enforce charges, toll fee, service fee of any passenger vehicle passing, loading and unloading at Loon Municipal Transport Terminal.
8. To submit to the Honorable Municipal Mayor and the Sangguniang Bayan periodic and special reports relative to land transportation.

Section 8. The Municipal PNP Traffic Enforcers of the PNP Traffic Division and other Members of the Police Department

- a) The Municipal PNP traffic enforcers of the PNP Traffic Division are hereby given the authority and the primary responsibility and duty to enforce the provisions of this Code and all the national vehicle laws applicable to street traffic in the Municipality of Loon.
- b) Officers and members of the police department or such officers as are assigned by the Chief of Police are hereby authorized to direct all traffic by voice, hand or signal in conformance with the provisions of this Code; Provided, however, in the event of fire or other emergency or to expedite traffic or to safeguard pedestrians, officers of the police department may direct traffic as conditions may require notwithstanding the provisions herein.
- c) Officers and members of the police department are hereby authorized to display portable signs within certain intersection forbidding vehicle drivers to perform specific maneuvers. Said portable signs shall only be displayed at a specified intersection during times of traffic congestion when in the opinion of the Chief of Police such restrictions are necessary to expedite the movement of the traffic through the intersection.
- d) Officers and members of the fire department when at the fire scene may direct or assist the police in directing traffic thereat or in the immediate vicinity.

Section 9. Municipal Traffic Aides (MUTRA)

- a) *Creation.* – There is hereby created the team of Municipal Traffic Aides (MUTRA) under the supervision of the Municipal Traffic Management Office to assist specifically in the implementation of all traffic rules and regulations.
- b) *Qualifications.* – A traffic aide shall be male, physically and psychologically fit, of good moral character, at least 20 years old, at least a high School graduate, able-bodied citizen, a natural born Filipino, and a bona fide resident of Loon, Bohol for at least six (6) months at the time of his application as traffic aide.
- c) *Screening Committee.* – The applicant for traffic aide must present himself personally to the Honorable Municipal Mayor or his duly authorized representative before he shall be allowed to undergo screening by the Municipal Traffic Management Board (MTMB).
- d) *Uniforms.* – The traffic aides shall be provided with appropriate uniforms, equipment, and other devices to ensure efficiency in the fulfillment of their duties and responsibilities in the service.
- e) *Authority to Issue Citation Tickets.* – In the enforcement of traffic rules and regulations, the traffic aides (MUTRA Members) shall be authorized to issue citation tickets for traffic violators. In addition thereto, they will assist in the implementation of anti-littering, anti-car washing and repair and other existing ordinances and laws whose violations take place in the streets and other public places.

ARTICLE IV OPERATION OF MOTOR VEHICLES AND TRAFFIC RULES

Section 10. Driver's License

- a) No person shall operate any motor vehicle without having in his possession a valid license to drive a motor vehicle.

The license shall be carried by the driver at all times when operating a motor vehicle, and shall be shown and/or surrendered for cause and upon demand to any person with authority to confiscate the same.
- b) No driver shall be allowed to drive with expired driver's license.
- c) No driver on "Student Permit (SP)" privilege shall drive without being accompanied by a professional driver.
- d) No driver shall be allowed to carry or use any fake driver's license.
- e) No foreigner driver shall be allowed to drive without carrying his "international driver's license" which is valid for 100 days.

Section 11. Failure to carry Certificate of Registration and Official Receipt

No driver is allowed to drive without carrying the Certificate of Registration and Official Receipt.

Section 12. Wearing of Helmet

No motorcycle driver or any motorcycle back-rider shall ride on a motorcycle on a national, provincial, municipal, or barangay road, regardless of distance, without wearing of a standard protective motorcycle helmet.

Section 13. Use of Improvised Muffler

No vehicle with improvised muffler that produces loud and disturbing sound is allowed to pass in any street of this municipality.

Section 14. Headlights

- a) Every motor vehicle of more than one meter of projected width “except tricycle”, while in use on any public highway shall bear two headlights, one on each side, with white or yellowish light visible from the front, which, not later than one-half hour after sunset and until at least one-half hour before sunrise and whenever weather conditions so require, shall both be lighted.
- b) Additional lamps and light may be carried, but no red lights shall be installed in front part of any public or private vehicle
- c) All motor vehicles shall be equipped with devices for varying the intensity of light, and the driver must dim the headings or tilt the beams downward whenever the vehicle is being operated on well lighted streets within the city and thickly populated districts, or whenever such vehicle meets another vehicle on any public highway.

Section 15. Right-Side Driving

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

Section 16. Safety and Awareness

- a) To ensure safety of any pedestrian and awareness of the drivers, it is mandatory that there shall be installed speed limit signage in coordination with the Municipal Traffic Aid (MUTRA) at the restricted areas specifically school zones, hospitals, markets, churches and in the blind curve roads in the Municipality of Loon.
- b) There shall be regulation on the minimum and maximum seating capacity of any vehicles specifically public transportations passing within the municipality.

Section 17. Speed Restrictions

- a) Any person driving a motor vehicle on a highway shall drive the same at a careful and prudent speed, not greater nor less than is reasonable and proper, having due regard for the traffic, the width of the highway, and of any condition then and there existing.
- b) No person shall drive any motor vehicle upon a highway at such a speed as to endanger the life, limb and property of any person.
- c) Subject to the provisions of the preceding paragraph, the rate of speed of any motor vehicle shall not exceed the following:

MAXIMUM ALLOWABLE SPEED

	<u>ALL VEHICLES</u>	<u>BOUNDARY</u>
On open highways or country roads, with no “blind corners”, and not closely bordered by habitations	60 km. per hour	Song-on boundary to Pondol boundary, except on designated areas, such as:
a) Through crowded streets, b) approaching intersections at “blind corners” c) passing school zones, d) passing other parked vehicle or for similar dangerous circumstances	30 km per hour	Moto Sur to Basac, Ubayon-Catagbacan Handig
e) Provincial roads	40 km. per hour	Sandingan Island, etc.
f) Municipal streets and roads with light traffic	20 km. per hour	

- d) *Exemptions.* – The rates of speed here-in-above prescribed shall not apply to the following:
- a. A physician with his driver when the former responds to emergency calls;
 - b. The driver of a hospital and LGU ambulance on the way to and from the place of accident or other emergency;
 - c. Any driver bringing a wounded 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, PNP, Fire, BJMP while in use for official purposes;
 - e. The driver of a vehicle, when he or his passenger are in pursuit of a criminal;
 - f. A law-enforcement officer who is trying to overtake a violators of traffic laws; and
 - g. The driver of any fire department vehicle to respond to fire conflagration.
 - h. The driver of any vehicle carrying or escorting a high-ranking government official on official trip for purposes of security and safety.

Section 18. Operating Conditions

- a) The maximum allowable speed limit of any vehicle should strictly be followed by drivers.
- b) Over speeding is prohibited but not applicable for the following exemptions as stated in Section 17 d.
- c) Driver must slow down and follow the speed limit signages when passing through the school zones, municipal hall, churches, hospitals, markets and in the blind curve roads.
- d) Overloaded vehicles are prohibited to transport passengers. Its seating capacity should strictly be followed.
- e) No person shall drive a motor vehicle while under the influence of liquor or narcotic drug.

- f) No minor is allowed to drive a motor vehicle, except if he has a Student Permit, provided, he is accompanied with a professional driver.
- g) Health certificate of a public utility/ passenger-vehicle driver is required to ensure that they are in good condition to drive and to prevent any possible accident.

Section 19. Use of Plate Numbers

- a) No vehicle shall be allowed to pass to any street of this locality without bearing a plate number, except new ones pending process at the LTO, or non-availability of the plate number in which case the operator shall be issued temporary plate number.
- b) No vehicle shall improperly place the plate number, except at the back of the motor vehicle and transparent to the public.
- c) No vehicle shall make or use the “fake plate number“
- d) No vehicle shall use the plate number of another vehicle.

Section 20. Overtaking a Vehicle

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

Section 21. Giving Way of Overtaking Vehicle

The driver of a vehicle about to be overtaken by another vehicle approaching from the rear shall give way to the overtaking vehicle on suitable and audible signal being given by the driver of the overtaking vehicle, and shall not increase the speed of his vehicle until completely passed by the overtaking vehicle.

Section 22. Restrictions on Overtaking and Passing

- a) The driver of a vehicle shall not drive to the left side of the center line of a highway in overtaking or passing another vehicle proceeding in the same direction, unless such left side is clearly visible, and is free of on coming traffic for a sufficient distance ahead to permit such overtaking or passing to be made in safety.
- b) The driver of a vehicle shall not overtake or pass another vehicle proceeding in the same direction, when approaching the crest of a grade, nor upon a curve in the highway, where the driver’s view along the highway is obstructed within a distance of five hundred (500) feet ahead, except on a highway having two or more lanes for movement of traffic in one direction where the driver of a vehicle may overtake or pass another vehicle; Provided, that on a highway, within a business or residential district, having two or more lanes for movement of traffic in one direction, the driver of a vehicle may overtake or pass another vehicle on the right.
- c) The driver of a vehicle shall not overtake or pass any other vehicle proceeding in the same direction, at any railway grade crossing, nor at any intersection of highways, unless such intersection or crossing is controlled by a watchman or a peace officer, except on a highway two or more lanes for movement of traffic in one direction where the driver of a vehicle may overtake or pass another vehicle on the right. Nothing in this section shall be construed to prohibit a driver overtaking or passing, upon the right, another vehicle which is making or about to make a left turn.

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

Section 23. Right of Way

The following rules shall be observed in yielding the right of way:

- a) When two vehicles approach or enter an intersection at the same time, the driver of the vehicle on the left shall yield the right of way to the vehicle on the right, except as otherwise provided herein. The driver of any vehicle traveling at any unlawful speed forfeit any right of way which he might otherwise have hereunder.
- b) The driver of a vehicle approaching but not having entered an intersection, shall yield the right of way to a vehicle within such intersection of turning therein to the left across the line of travel of such first mentioned vehicle, provided the driver of the vehicle turning left has given a plainly visible signal of intention to turn as required therein.
- c) The driver of any vehicle upon a highway within a business or residential district shall yield the right of way to a pedestrian crossing such highway within a crosswalk, except an intersection where the movement of traffic is being regulated by a peace officer or by traffic signal. Every pedestrian crossing a highway within a business or residential district, at any point other than crosswalk, shall yield the right of way to vehicles upon the highway.
- d) The driver of a vehicle upon a highway shall bring full stop such vehicle before traversing any “through street” or railroad crossing; *Provided*, hazard exists, the vehicle may be slowed down to ten (10) kilometers per hour instead of bringing it to a full stop.

Section 24. Exemption to Right of Way Rule

- a) The driver of a vehicle entering a highway from a private road or drive shall yield the right of way to all vehicles approaching on such highway.
- b) The driver of a vehicle upon a highway shall yield the right of way to a police or fire department vehicle or ambulance when such vehicles is being operated on official business and the driver thereof sounds audible signal of his approach.
- c) The driver of a vehicle entering a “through street” or “stop intersection” shall yield the right of way to all vehicles approaching in either direction on such “through street”. *Provided*, that nothing in this Section shall be construed as relieving the driver of any vehicle being operated on a “through street or highway” from the duty of driving with due regard to the safety of vehicles entering such highway or street nor as protecting the said driver from the consequence of an arbitrary exercise of such right of way.

Section 25. Signal on Starting, Stopping or Turning

The following rules shall be observed before starting, stopping or turning a vehicle:

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

Section 26. Turning at Intersections

The following shall be observed when turning at intersections:

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

Section 27. Illegal Stopping, Standing or Parking in Specified Places

No person shall stop, stand or park a vehicle or motorcycle except when necessary to avoid conflict with other traffic or in compliance with law or directions of a police officer or traffic control device in any of the following places:

- a) On a sidewalk, except as otherwise provided herein;
- b) Within four feet of either of a public or private driveway;
- c) Within an intersection;
- d) Within six meters of the intersection of curb lines;
- e) Within four meters of the driveway entrance to any fire station;
- f) Within four meters of a fire hydrant;
- g) On a crosswalk; and
- h) Within thirty meters upon the approach of any control device.

Section 28. Traffic Control Signals

- 1) *Obedience to Official Traffic Control Devices.* – The driver of any vehicle shall obey the instructions of any official traffic control device applicable thereto, unless otherwise directed by a Police Officer or any other person authorized to direct, control or regulate traffic.
- 2) *Traffic Conditions.* – A driver of a vehicle shall always be alert on pedestrians, bicycles, motorcycles, tricycles and parked cars. It is much difficult to drive on municipal streets. There are so much confusion such as traffic signs, buses, jeepneys, trucks, ambulances, fire trucks, pedestrians, parked cars, narrow alley, school zones, hospital zones, and one way streets. Drivers must have a good driving skill when driving on municipal streets.
- 3) *At Intersections.*
 - a. Stay on the proper lane.
 - b. Slow down your speed if you want to turn.
 - c. Use your signal light before you turn.
 - d. Stay on the proper lane after your lane.
- 4) *No Passing or Overtaking Lane Markings.* – A center line strip divide in the middle highways for two lanes of traffic moving in opposite directions. A black or yellow line divide the ground while a white dark line divide highways of darker surfaces. Drivers should never cross the center line except when passing a vehicle proceeding in the same direction, or making a left turn.

On other hazardous areas, a single yellow or white line or stripe means no passing or overtaking, or when the yellow line is on your side, do not make any pass.

- 5) *Ambulance, Fire Trucks, Police and Military Vehicles.* – A driver of a vehicle shall yield the right-of-way to all fire trucks, ambulance, police and military vehicles which are on emergency or official missions. You can usually notice them by their sirens.

Pull to the right, slow down or stop as soon as you hear the emergency siren of these vehicles. Always make it easy for them to pass.

- 6) *Interference with Official Traffic Control, Devices, Signs or Signal.* – No person shall, without lawful authority, attempt to or in fact alter, deface, injure, knock down or remove any official traffic control device, sign or signal or any inscription, shield or insignia thereon, or any other part thereof.

7) *Unauthorized transfer of Traffic Signs*

- a) No person is allowed to transfer remove any traffic sign/ paraphernalia to any area, unless authorized by the Traffic Enforcer or the Chairman and Members of the Committee on Transportation or the Mayor / Acting Mayor.
- b) Any person who caused the damage of any traffic sign/ paraphernalia shall bear the cost thereof, in addition to its penalties.

Section 29. Reckless Driving

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

Section 30. Right of Way for Police and Other Emergency Vehicles

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

Section 31. Hitching to a Vehicle

- a) No person shall hang on to, or ride on, the outside or the rear and of any vehicle.
- b) No person on a bicycle, roller skate or other similar device, shall hold fast to or hitch on to any moving vehicle.
- c) No driver shall knowingly permit any person to hang on to ride on the outside or rear end of his vehicle or allow any person on a bicycle, roller skate or other similar device to hold fast or hitch to his vehicle.

Section 32. Driving while under the Influence of Liquor or Narcotic Drugs

No person shall drive a motor vehicle while under the influence of liquor or narcotic drug.

Section 33. Obstruction of Traffic

No person shall drive his motor vehicle in such a manner as to obstruct or impede the passage of any vehicle, nor while discharging or taking passengers of loading or unloading freight, obstruct the free passage of other vehicles on the highway.

Section 34. Regulating the Use of Any Portion of Any Public Roads, Sidewalks, Alleys, or Lanes

No person shall use any portion of any public roads, sidewalks, alleys, or lanes, for the following purposes:

- 1) Drying of apparels, whatever kind of cereals, buri palms or other agricultural products;
- 2) Repairing and washing of vehicles and other home appliances;
- 3) Bathing or laundering or other similar purposes;
- 4) Hawking or peddling of any goods, merchandise, wares or any articles of commerce;
- 5) Placing of construction materials or waste materials or demolished/renovated buildings;
- 6) Installation of business stalls, advertisement or other similar objects;
- 7) Placing junk or unused vehicles; and
- 8) Parking areas for motorcycles and tricycles, including big vehicles except in designated parking area.

Section 35. Abandoned/Unattended Motor Vehicles/Trailers On Public Highway and/or Municipal Streets

- a) *Abandoned Vehicles on Public Highway.* – No person natural or juridical shall abandon any vehicle on the public highway. The Chief of Police is hereby authorized to remove or cause to be removed any such abandoned vehicles from the highway and/or municipal streets, and the registered owner of such vehicle shall be liable for all reasonable expenses incurred by such removal. Leaving vehicles unattended for more than 48 hours shall constitute abandonment within the meaning of this section.
- b) *Unattended Motor Vehicle.* – No person operating or in-charge of a motor vehicle shall permit it to stand unattended without first stopping the engine, locking of ignition, removing the ignition key from the vehicle and effectively setting the brakes thereon, and when standing upon any grade, turning the front wheels to the curb or side of the highway.

Section 36. Authority to Store Vehicles

Subject to the provisions of the preceding section, the Members of the Police Department are hereby authorized to remove a vehicle from a municipal street or highway to the nearest garage or other place of safety under the circumstances herein after enumerated.

- a) When a vehicle upon a highway is so disabled as to constitute an obstruction to traffic and the person or persons in charge of the vehicle are, by reason of physical injury, incapacitated to such an extent as to be unable to provide for its custody or removal.
- b) When a vehicle is left unattended upon a street and is so parked illegally as to constitute a definite hazard or obstruction to the normal movement of traffic.
- c) When any vehicle is left unattended upon any street, avenue or causeway where such vehicle constitute an obstruction to traffic.
- d) When any vehicle is left unattended and parked in front of a public or private driveway so as to constitute an obstruction to vehicular traffic using such driveway for purpose of egress and ingress.
- e) When any vehicle is left unattended upon any street within ten (10) feet of a fire hydrant, on a crosswalk/pedestrian lane and within the intersection.

Section 37. Impounding of Vehicles

- 1) The following are the grounds for impounding the vehicles:
 - a) those affecting road accidents
 - b) traffic violations, as a penalty

- c) carnapped vehicle
 - d) unregistered vehicles
 - e) those subject for court litigation
 - f) vehicle with improvised muffler until removed/normalized and paid
 - g) and other grounds as provided by law or ordinance
- 2) There shall be created a Vehicle Depository Area for Impounded or Stored Vehicles under the control and custody of the PNP.
- 3) Impounding Rules:
- a) The area shall be enclosed and secured with perimeter fence/wall with door padlocks.
 - b) The custody for the safety of the impounded/stored vehicles shall be under the responsibility of the PNP.
 - c) Any loss or damage shall be the liability of the PNP, subject to payment for whatever losses or damage.
 - d) The PNP Chief shall designate a custodian for this purpose.

Section 38. Authority to Dispose of Unclaimed Vehicles

- a) The Chief of Police is hereby authorized and empowered to recommend to the Municipal Mayor the disposal of vehicles which have been taken in custody by the Chief of Police or his authorized subordinates. Such disposition shall be at Public Auction under such procedure as the Sangguniang Bayan shall establish. Written notice of such auction shall be sent to the last known registered owner by registered mail, addressed to the owner's last known address at least ten (10) days prior to the date of auction, and the said auction shall be held not earlier than sixty (60) days after the date upon which such vehicle may claim the same at any time prior to such auction upon payment of all costs and expenses relating to the towing and storage of such vehicle by the police or his authorized subordinates.
- b) The funds derived from any auctions shall be used to defray the expenses of such auction and any other expenses incurred in taking into custody or keeping such vehicles, and the balance, if any, shall become part of the General Fund.

Section 39. Conveyance

Cruise Ship Port, upon recommendation of the Municipal Traffic Aid, the Municipal Traffic Management Office (MTMO), and the Municipal Traffic Management Board (MTMB).

Any violation of the Executive Order which forms part of this Code shall be penalized pursuant to Section 52, hereof.

Section 41. Flow of Traffic in the Poblacion Area during Carnivals, Fairs or Town Fiesta

- a) During the holding of any carnival and fair held in the Poblacion this Municipality, the following route shall be observed:

Vehicle operators or drivers coming from the South should pass through Guillermo Perez Street and thence through Del Pilar Street and on the National Highway, while vehicles coming from the North should pass through Gomez Street, thence Juan Luna Street, thence Del Pilar Street and on to the National Highway.

- b) If there is no carnival or fair held in the Poblacion, this Municipality, the routes stated in the preceding paragraph (a) should be followed only during the occasion on the town

fiesta for the period of two (2) days, particularly during the vesper day and the day of the fiesta. (Sec. 1, MO 1960-17)

Section 42. Overloading of Passengers

- A) Overloading shall mean to load passengers over its seating capacity.
- B) No operator or driver /or conductor of passenger vehicles shall load their respective public utility vehicles with passengers more than what has been authorized or more than the registered capacity of such passenger vehicles or trucks operating within the territorial jurisdiction of this municipality. (Sec. 1, MO 1960-20a)
- C) No tricycle or motorcycle for hire shall load passengers in excess of its loading/sitting capacity.
- D) Seating Capacity. The seating capacity of a public utility vehicle shall be as follows:
 - 1) *Tricycles*
 - a) *Closed/ Cargo Types* – 3 passengers (2 front seat, 1 back ride)
 - b) *Open-back/ Dual Type* – 6 passengers (2 front seat, 2 back seat, 2 behind the driver)
 - c) *Jeepney Type* – 8 passengers (2 front seat, 4 back seat, 2 behind the driver)
 - 2) *Jeepneys* – the number of passengers is equal to the allocated seating capacity of the vehicle, including seat extensions, as approved by the Land Transportation Office, disallowing any hitching or top loads.
 - 3) *Buses* - the number of passengers is equal to the allocated seating capacity of the vehicle. Any passenger on standing position is considered overloading, and therefore, punishable. Any hitching and top loads is prohibited and punishable.
 - 4) *Multicab (PUV)* – number of passengers is equal to the allocated seating capacity of the vehicle with no seat extensions and strictly no hitching and top loads.
 - 5) *V-hire* – number of passengers is equal to the allocated seating capacity of the vehicle and front seat must be occupied by only one person so that seat belt can properly be used.
 - 6) *Automobiles/ taxi* – the number of passengers is equal to the allocated seating capacity depending on the types of the automobile and front seat must be occupied by only one person so that seat belt can properly be used.

Any excess of passengers in violation to what is allowed is considered overloading, hence, punishable.

Section 43. Tricycles from other Municipalities not to engage in Business in the Municipality without Permit from the Mayor

- a) No tricycle registered or coming from other municipalities shall engage in the business of transporting or carrying passengers or goods for compensation within the municipality of Loon, Bohol without a permit from the Office of the Municipal Mayor. (Sec. 1, MO 1972-03)
- b) The Municipal Mayor may issue a permit upon payment of One Hundred Pesos (P 100.00) for each day's operation to any individual to operate if such would benefit the riding public without prejudice to the interest of the locally registered tricycle. (Sec. 2, MO 1972-3)

Section 44. Motor Vehicles Prohibited to enter inside the Loon Public Markets

All kinds of motor vehicles including bicycles are prohibited to enter inside the premises to any of the three public markets of Loon. (Sec. 1, MO 1987-02)

Section 45. Use of Led Lights

No vehicle using "led light/s" shall be allowed to pass to any of the streets within this municipality.

Section 46. Illegal Driving

- 1) It is illegal for a minor below 18 years of age to drive a "passenger" or "cargo vehicle", even with Student Permit, or even with the presence of a professional driver.
- 2) It is illegal for a minor below 18 years old to drive a "private motor vehicle" unless he is carrying with a Student Permit (SP) duly issued by the Land Transportation Office and with the presence of supervising professional driver.

Section 47. Illegal Pick-up of tricycle Passengers

- a) No vehicle is allowed to pick-up passengers in prohibited areas as defined pursuant to an Executive Order issued by the Municipal Mayor, in violation of the Parking and Loading Rules as embodied in the Transportation and Traffic ordinance.
- b) No South bound and North bound tricycle driver is allowed to pick-up passengers at any prohibited area, by "barok system", in violation of the parking and "turno rule".

Section 48. Drying of Copra, Cereals or other Articles in the National Highway

No person or persons shall use the national highway or any part or portion thereof, within this municipality for drying or re-drying copra, corn or any cereal or other articles at any time of the day.
(Sec. 1, MO 1966-24)

Section 49. Colorum Vehicles

No passenger vehicle such as buses, multicabs, v-hires, taxis, jeepneys, tricycles, habal-habal/ motorcycles for hire shall be allowed to operate within the territorial jurisdiction of this municipality without corresponding franchise, LTO registration, mayor's permit. Such vehicles are considered colorum.



**ARTICLE V
LOON TRANSPORT TERMINAL**

Section 50. Loon Transport Terminal

- 1) *Designated Area.* – The space at the front of Loon Public Market II (Mercado de Loon) is hereby designated as the Loon Bus Terminal, located at Cogon Norte, Loon, Bohol.
- 2) *Administration.* – The MUTRA Head shall exercise direct and immediate supervision and administration over the Loon Bus Terminal and the personnel thereby; including those whose duties concern the maintenance, harmony, peace and order of the terminal premises. He shall be assisted by the MUTRA members/staff.
- 3) *Loading and Unloading.* – Loading and unloading of passengers shall be at the Loon Bus Terminal, and for cargoes shall be at the back of Mercado de Loon.
- 4) *Compulsory Use/Parking.* – All public utility buses, mini-buses, tricycles, motorcycles for hire and other public transports with franchise to operate to and from Municipality of Loon shall park at Loon Bus Terminal as their final destination in the Municipality for the purpose of loading and unloading of passengers, and cargoes at the back of the public market.
- 5) *Blowing or Honking of Horns.* – Blowing or honking of horns inside the Loon Bus Terminal is hereby prohibited.

Section 51. Parking Fees

A. Per Parking, Per Day Imposition. There shall be collected parking fees for the use of municipal owned parking area or designated streets “for pay parking” on per parking, per day basis, to include the loading and unloading at Loon Municipal Transport Terminal and other designated parking areas.

- 1) Passenger vehicles
 - a) Passenger Bus, Ford Fiera, Jeep, PUV, PUJ, Multicab, V-hire, other related passenger - P10.00 per day
 - b) Tricycles, Motorcycles for rent or habal-habal - P4.00 per day
- 2) Private vehicles without market transactions
 - a) Private motorcycles, private tricycles - P3.00
 - b) Private Cars and Service Vehicles - P5.00
- 3) Cargo trucks as follows:
 - a) 10 wheelers truck - P50.00
 - b) 6 wheelers truck - P30.00
 - c) Other cargo truck - P20.00

B. Overnight Parking Fee. Overnight parking for any passenger or cargo vehicle shall be charged double its amount.

Section 52. Penalty. For violating any of the provisions of this Article, the violator shall be administratively fined:

- a) Three Hundred Pesos (P300.00) - for the First Offense
- b) One Thousand Pesos (P1,000.00) -for the Second Offense
- c) One Thousand Five Hundred Pesos (P1,500.00) - for the Third and Succeeding offenses.

**ARTICLE VI
 FRANCHISING OF TRICYCLES AND ISSUANCE OF MAYOR’S PERMIT**

Section 53. Tricycle Franchise and Mayor’s Permit

A. *Regulated Acts.*

No person shall engage in the operation of tricycle for hire without first securing a “franchise” from the Sangguniang Bayan upon payment of Franchise Fee amounting to Three Hundred Fifty Pesos (P350.00), and Mayor’s Permit amounting to Three Hundred Fifty Pesos (P350.00).

B. *Administrative Provisions.*

1. The applicant for a franchise shall file an application at the Sangguniang Bayan together with the following requirements to be filed in a folder.

- a) Official Receipt (OR) and Certificate of Registration (CR) from the Land and Transportation Office (LTO)
- b) Barangay Clearance
- c) Police Clearance issued by the PNP
- d) Inspection Slip issued by the MUTRA
- e) Application for Business License and Permit
- f) Sworn application for Certificate of Public Convenience to operate, duly verified
- g) Certified true copy of professional driver’s license

- h) Driver's medical certificate
 - i) Operator's Residence Certificate or cedula
2. The Sangguniang Bayan in its session will consider or deliberate on the application for franchise. Approval of the applications for a certificate of Public Convenience shall be in form of a commission- type "Order" duly signed by the members of the Sangguniang Bayan concurring the same. The Sanggunian order shall contain the name or names of the person or persons whose application for franchise is approved or disapproved and specifying whether the franchise is for "Motorcab" or Motorela", the coverage area of its operation and the date of effectivity and expiration of the franchise and all other conditions necessary.
 3. If the Committee on Transportation, Public Works and Utilities feel the necessity of consulting the transport sector and the riding public as to the additional number of MTOP applications affecting the number of tricycles operating in the town, the Sangguniang Bayan through the concerned committee, shall conduct a public hearing to this effect.
 4. Each applicant whose application had been approved shall be issued a "Motor Tricycle Operator's Permit" (MTOP) or Franchise Certificate which shall be completely filled-up and certified by the Secretary of the Sangguniang Bayan by authority of the Sangguniang Bayan. It shall be displayed in the tricycle unit together with the Mayor's Permit.
 5. The mayor's permit may be issued to the applicant as a tricycle operator if he/she is a holder of a franchise issued by the Sangguniang Bayan subject to the following requirements:
 - a) Official Receipt (OR) and Certificate of Registration (CR) issued by the Land Transportation Office (LTO) in favor of the applicant
 - b) Police Clearance issued by the Chief of Police of this municipality
 - c) Inspection Slip issued by the MUTRA in coordination with the PNP traffic section
 6. The franchise and mayor's permit granted, unless earlier revoked or otherwise provided for by the Sangguniang Bayan, shall be valid for a period of one (1) year and renewable thereafter.
 7. A Mayor's permit is valid for one (1) year only from January 1 to December 31 of the current year. Operators who fail to renew their permits on the first twenty (20) days of January shall pay an additional fee of 25% penalty.
 8. The Mayor from time to time may order the checking or thorough inspection of motorized tricycle in order to determine their road worthiness to transport passengers or cargoes by any inspecting officer duly designated or authorized by the Municipal Mayor.

Section 54. Franchise Non-Transferability

1. The franchise duly issued by the Sangguniang Bayan shall be non-transferable.
2. Exception. Before the expiration of the franchise, the same may be transferred to another person whose new ownership is established, provided, the following requisites are complied with:
 - a) proof of present ownership/ new ownership- Deed of Donation, or Deed of Sale, or proof of testate or intestate succession from the deceased owner, or Deed of Barter, or any mode of acquiring ownership over a property
 - b) payment of P300.00 for the transfer of franchise holder

- c) approval of the Sangguniang Bayan through a resolution with corresponding issuance of an Order/ Certificate, reflecting therein the same number with change of name

Section 55. Substitution of motorcycle

Before the expiration of the franchise and mayor's permit, a substitution of another motorcycle also owned by the operator can be done after complying the following requisites:

- a) the new motorcycle is brand new or with road-worthiness better than the previous one, as certified by the MUTRA head, per Inspection Report;
- b) payment of P300.00 for change of motorcycle unit; and
- c) approval of the Sangguniang Bayan through a resolution with corresponding issuance of an Order/Certificate, reflecting therein the same franchise number, same owner, but with different motorcycle unit and data.

Section 56. Forfeiture of Right

- a) Failure of the franchise holder to renew his franchise beyond one month shall bear 25% surcharge. Failure to renew his/her franchise on the third month shall cause automatic cancellation of his/her franchise with corresponding franchise/body number. It shall be forfeited in favor of any interested franchise applicant.
- b) Failure to secure Mayor's Permit beyond January 20 shall bear 25% quarterly surcharge with 2% interest on all fees. Failure to secure Mayor's Permit at the end of March shall cause the automatic cancellation of the "Body Number" of the tricycle and the same shall be forfeited in favor of any interested applicant for franchise number.

Section 57. Rules and Regulations in the Operation of Tricycles

The following are the rules governing the operations of tricycles:

- 1) The operation of motorized tricycle within the Municipality of Loon, Bohol shall be for private, public or commercial purposes.
- 2) The measurement of the sidecar shall not exceed in length the motor vehicle to which it is attached, and not to exceed 1.60 meters in width from the tip of the left handlebar of the motorcycle to the extreme right edge of the sidecar. A permanent cover shall be constructed over the driver.
- 3) Tricycle operators shall provide their respective units with an extra tire and inner tube, both in good condition. The units must be equipped with complete lights (front and rear), strong brakes, horns and shock absorbers; and it must be fitted with a four stroke engine to have ample power to carry the sidecar and its passengers, and to minimize if not totally eradicate smoke belching of the units.
- 4) Tricycle operators are required to put a sign board at the roof above the driver's side with the mark "FOR HIRE" the lettering of which is red in color with white background and "SPECIAL TRIP" the "NOT FOR HIRE" lettering of which is white with red background, all in bold letters and measuring 51 times 17 centimeters and put one bulb over the signboard to be lighted during night time.
- 5) Tricycle operators are required to provide receptacle for trash in their vehicle with the use of plastic bags.
- 6) A number to be determined and recorded by the Chief of Police with a size of ten (10) inches square shall be printed conspicuously inside the car facing the passenger and the same number of the same size shall likewise be placed in front and at the back of the sidecar.

- 7) The rate of charges of motorized tricycles used for public purposes shall be in accordance with the rates fixed by the Sangguniang Bayan.
- 8) The tricycle operator shall have the rates inscribed clearly on a conspicuous place of the motorized tricycle as prescribed by the Sangguniang Bayan.
- 9) Tricycles shall be registered with the Mayor's Office for a capacity of three (3) or four (4) or six (6) passengers. However, the existing units regardless of the number of passengers shall be retained until its revocation, or change of another item. The uniform standard as to the built-in form of the tricycle shall be patterned with that prescribed by the municipal engineer in coordination with the traffic section, and subject to the issuance of an Executive Order.
- 10) Under no circumstances shall the operator employ in the operation of its motorized tricycle service discourteous or habitually negligent drivers.
- 11) Operators shall before registering with the Mayor's Office, secure insurance with a reputable insurance company to answer for third party liability arising from the operation of the service.
- 12) Any operator of tricycles applying for a license or renewal of license/Mayor's Permit must establish ownership of the motorcycle and of the sidecar.
- 13) The Mayor from time to time may order the checking of tricycles in order to determine their roadworthiness.
- 14) Every motorized tricycle should bear the markings (a) "Loon" symmetrically; (b) the assigned number; (c) the name of the driver actually driving; (d) schedule of fares; (e) the sign "FOR HIRE" if already to transport passenger, or the sign "ON CALL" if it is to get particular passenger or passengers, (f) the name of the franchise holder if it is for public use or the name of the owner, if private, or the name of the establishment if it is for commercial use. No other markings or signs shall be allowed except those required for pertinent laws, and advertisements allowed.
- 15) Every tricycle driver shall wear shoes, long pants, and decent clothes, and shall observe personal hygiene.
- 16) The franchise holder or duly licensed operator may waive his privilege in favor of any qualified person, subject however, to the approval by the Office of the Mayor.
- 17) No tricycle shall be allowed to operate without corresponding plate number issued by the Land Transportation Office, nor shall it be allowed to operate without proof of full compliance to the requirements as evidenced by a "sticker" duly signed by the mayor and issued by the MUTRA.
- 18) No tricycle-for-hire shall be allowed to pick-up any passenger within the territorial jurisdiction of this municipality without having secured MTOP franchise, LTO Registration, and Mayor's Permit, renewable annually.
- 19) Only religious passages are allowed to be inscribed in the tricycle.

Section 58. Prohibited and Punishable Acts. The following are the punishable acts or omissions, **per count of inspection** with corresponding fines:

- 1) Unauthorized sidecar body design
- 2) Incomplete lights
- 3) Defective breaks
- 4) Non-functional horn
- 5) Use of improvised muffler or downpipe muffler
- 6) Non-functional shock absorber
- 7) No passenger/side mirrors

- 8) No sign board
- 9) No trash can
- 10) Collection of unauthorized tricycle fare
- 11) Exceeding passenger capacity
- 12) Discourteous driving
- 13) Negligent driving
- 14) Uninsured motorcycle
- 15) Unregistered/improvised plate number
- 16) Dummy ownership
- 17) Unauthorized substitution of motorcycle
- 18) Failure to wear shoes
- 19) Failure to wear uniform
- 20) Illegal loading/ unloading at prohibited areas
- 21) Operating outside the specific route of service except on special trip
- 22) No MTOP Franchise
- 23) No LTO Registration
- 24) No Mayor's Permit
- 25) Expired MTOP Franchise
- 26) Expired LTO Registration
- 27) Expired Mayor's Permit
- 28) No plate number
- 29) No sticker issued by MUTRA
- 30) Inscribing of malicious and vulgar phrases, pictures, photographs on any part of the tricycle
- 31) Smoking while driving
- 32) Driving under the influence of liquor or illegal drugs
- 33) Driving while using cellphones, and other distracted devices
- 34) Loud and destructive sounds from vehicle stereo devices
- 35) Other violations defined by the LTO and applicable laws, rules, circulars, traffic ordinances.

Section 59. Tricycle Color Coding

No tricycle is allowed to pick-up passengers in violation of the following color-coding of transport services:

- | | | |
|-------------|---|--|
| a) Yellow | - | Loon South bound tricycles |
| b) Sky Blue | - | Loon North bound tricycles |
| c) Sky Blue | - | Sandingan bound tricycles |
| d) Sky Blue | - | Catagbacan/ Cantaongon based tricycles |
| e) Red | - | Cabilao area tricycles |

Section 60. Body Number & MTOP Franchise Number

Effective upon approval of this code the body and MTOP Franchise numbering shall be based on color coding as follows:

AREA OF SERVICE	TRICYCLE COLOR	BODY AND MTOP NUMBER
Loon South bound tricycles	Yellow	Y- 001 to Y - ____
Loon North bound tricycles	Sky Blue	B-001 to B - ____
Sandingan bound tricycles	Sky Blue	S-001 to S - ____

Catagbacan/Cantaongon based tricycles	Sky Blue	C-001 to C - ____
Cabilao area tricycles	Red	R-001 to R - ____

Provided, this color-coding shall take effect on new applicants. There shall be a 1-year grace period for existing tricycles to conform to color-coding, subject for renewal of franchise applications.

Section 61. Procedures and Conditions for Issuance of Franchise

- 1) Prospective operators of tricycles should first secure a Motorized Tricycle Operator's permit (MTOP) from the Sangguniang Bayan prior to the issuance of Mayor's permit to operate within the territorial jurisdiction of Loon.
- 2) The Sangguniang Bayan of this municipality shall issue, amend, revise, renew, suspend, or cancel MTOP and prescribe the appropriate terms and conditions therefor; determine, fix, prescribe or periodically adjust fares or rates for the service provided in a zone after public hearing; prescribe and regulate zones of service in coordination with the barangay; fix, impose and collect, and periodically review and adjust but not oftener than once every three (3) years, reasonable fees and other related charges in the regulation of tricycles-for-hire; and establish and prescribe the conditions and qualifications of service.
- 3) Only Filipino citizens and partnership or corporation with sixty percent (60%) Filipino equity shall be granted the MTOP. No MTOP shall be granted by the municipality unless the applicant is in possession of units with valid registration papers from the Land Transportation Office (LTO).
- 4) The grantee of the MTOP shall carry a common carriers insurance sufficient to answer for any liability it may incur to passengers and third parties in case of accidents.
- 5) Operators of tricycles-for-hire shall employ drivers duly licensed by LTO for tricycles-for-hire.
- 6) Operators who intend to stop service completely, or suspend service for more than one (1) month shall report in writing such termination or suspension to the Sangguniang Bayan.
- 7) Operators of tricycle units with MTOP and Mayor's permit are presumed to engage in the business of transporting passengers within the year or upon the expiration of the franchise or mayor's permit, unless the operator manifests his intention in writing that he intends to stop its operation, or upon transfer of ownership of said unit to another operator, or upon the expiration or non-renewal of the franchise and mayor's permit, in which case, the same shall automatically be considered vacated and the MTOP Number shall be issued in favor any new applicant.
- 8) The numbering of the MTOP shall reflect the number of the Body of the Tricycle to be placed in front and at the back of the tricycle unit.
- 9) The application of MTOP numbers shall be on a first come first served basis and which shall be filed and processed in the office of the Mayor and indorsed to the Sangguniang Bayan for the granting and approval of number.
- 10) Tricycles issued with MTOP to operate in any part of Loon are free to transport passengers to any point of destination to any area of the town, and their color-coding applies for identity of parking area at the public market. However, tricycles on assigned destination shall be preferred in the transport of passengers based on color-coding identity of public service.

- 11) The MUTRA or PNP shall ensure the compliance of this color-coding including other requirements subject for physical inspection of the unit, prior to the issuance of clearance.
- 12) The Sangunian shall establish a fare structure that will provide the operator a reasonable return or profit, and still be affordable to the general public. The fare structure may either be flat (single fare regardless of distance) as a minimum amount plus a basic rate per kilometer.
- 13) Operators of tricycles-for-hire are required to post in the conspicuous part of the tricycle the schedule of fare rates.
- 14) The zones must be within the boundaries of this municipality. The existing zones which covers the territorial unit not only of the municipality but other adjoining municipalities as well shall be maintained, provided, the operators serving the said zone shall secure the required MTOP. Tricycles from other or adjoining municipalities are prohibited to engage in the business of transporting passengers to any area of Loon unless they secure Mayor's permit in Loon. A valid MTOP from their municipality is a requirement in the application of Mayor's Permit.
- 15) The Sangguniang Bayan and MUTRA shall keep a registry of all tricycle operators with their respective drivers which shall include among others, the name and address of the operator and the number and brand of tricycles owned and operated by said operator.
- 16) The drop off point of the passengers shall be at the respective parking areas of the South or North Bound tricycles, otherwise known as the Yellow or Blue tricycle Parking Areas, except when cargoes are carried or transported into a specific area.
- 17) The SB Committee on Transportation may conduct a public hearing to be participated in by the operators and the riding public as to the necessity of increasing its units to serve the riding public so as not to defeat the livelihood of the operators, nor prejudice the request of the riding public.
- 18) For purposes of whether or not to increase the number of tricycles operating in a specific area of public service, the public hearing to be attended by the tricycle transport sector and the riding public shall depend on the color coding, or the area to which the tricycles are bound to serve.
- 19) In the spirit of free enterprise there shall be no limit on the number of franchises per operator.

Section 62. Tricycle Fare Rates

A. Regular Rates. The regular fare rate of tricycles operating within the municipality of Loon shall be as follows:

BARANGAY/ DESTINATION	LOON TOWN SUARE	MERCADO DE LOON
	REGULAR FARE RATES	REGULAR FARE RATES
WITHIN POBLACION AND ADJOINING BARANGAYS		
(Moto Norte, Moto Sur, Cogon Norte, Cogon Sur, Basac Elementary School/ Sitio Tawog	10.00	10.00
Napo	12.00	17.00

SOUTH BOUND			
a) Lintuan highway	10.00	12.00	
b) Lintuan upper	12.00	14.00	
c) Basdacu	10.00	12.00	
d) Pig-ot highway	11.00	13.00	
e) Pig-ot inner	14.00	16.00	
f) Tangnan	11.00	13.00	
g) Cuasi	12.00	14.00	
h) Taytay	17.00	19.00	
f) Tontonan, Song-on	13.00	15.00	
NORTH BOUND			
a) Moalong-Sandingan Junction	11.00	10.00	
b) Biasong crossing	12.00	11.00	
c) Canhangdon Occidental/ Oriental	12.00	11.00	
d) Ubayon	13.00	12.00	
e) Catagbacan Sur	14.00	13.00	
f) Catagbacan Norte			
(a) port	17.00	16.00	
(b) Church	17.00	16.00	
(c) highway	15.00	14.00	
g) Catagbacan Handig	15.00	14.00	
h) Cantomocad	16.00	15.00	
i) Pondol	17.00	16.00	
SANDINGAN ISLAND			
a) Calayugan Norte/ Sur, Basdio, Canigaan,	17.00	16.00	
b) Ubojan	22.00	20.00	
c) Mocpoc Sur/Norte, Sondol	22.00	21.00	
CATAGBACAN AREAS			
BARANGAY/ DESTINATION		REGULAR FARE RATES	
1. Catagbacan Handig to port, Vise-versa		10.00	
		10.00	
2. Within Catagbacan barangays		10.00	
3. Catagbacan area to Cantomucad, Pondol			

B. Special rates for senior citizens, students, and disabled persons (SSD) shall be discounted by 20% out of the regular rates.

BARANGAY/ DESTINATION	LOON TOWN SUARE	MERCADO DE LOON
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	Students, Senior Citizens & Disabled SSD FARE RATES	Students, Senior Citizens & Disabled SSD FARE RATES
<p>WITHIN POBLACION AND ADJOINING BARANGAYS</p> <p>(Moto Norte, Moto Sur, Cogon Norte, Cogon Sur, Basac Elementary School/ SitioTawog Napo</p>	<p>8.00</p> <p>10.00</p>	<p>8.00</p> <p>14.00</p>
<p>SOUTH BOUND</p> <p>a) Lintuan highway b) Lintuan upper c) Basdacu d) Pig-ot highway e) Pig-ot inner f) Tangnan g) Cuasi h) Taytay f) Tontonan, Song-on</p>	<p>8.00 10.00 8.00 9.00 11.00 9.00 10.00 14.00 10.00</p>	<p>10.00 11.00 10.00 10.00 13.00 10.00 11.00 15.00 12.00</p>
<p>NORTH BOUND</p> <p>a) Moalong Bridge b) Biasong crossing c)Canhangdon Occidental/ Oriental d) Ubayon e) Catagbacan Sur f) CatagbacanNorte (a) port (b) Church (c) highway g) CatagbacanHandig h) Cantumucad i) Pondol</p>	<p>9.00 10.00 10.00 10.00 11.00 14.00 14.00 12.00 12.00 13.00 14.00</p>	<p>8.00 9.00 9.00 10.00 10.00 13.00 13.00 11.00 11.00 12.00 13.00</p>
<p>SANDINGAN ISLAND</p> <p>a) Calayugan Norte/ Sur, Basdio,Canigaan b) Ubojan c) Mocpoc Sur/Norte, Sondol</p>	<p>14.00 18.00 18.00</p>	<p>13.00 16.00 16.00</p>
CATAGBACAN AREAS		
BARANGAY/ DESTINATION	REGULAR FARE RATES	
1. Catagbacan Handig to port, Vise-versa	8.00	
2. Within Catagbacan barangays	8.00	
3. Catagbacan area to Cantomucad,	8.00	

Pondol	
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Section 63. Wearing of ID & Uniform

- a) No tricycle driver shall be allowed to transport passengers without wearing an ID with ID No. duly signed by the Mayor and issued by the MUTRA. Such drivers are required to wear long pants, shoes, and chalico vest bearing their tricycle body number on color-coding system, based on their tricycle color, as follows:

AREA OF SERVICE	TRICYCLE COLOR
Loon South bound tricycles	Yellow
Loon North bound tricycles	Sky Blue
Sandingan bound tricycles	Sky Blue
Catagbacan/Cantaongon based tricycles	Sky Blue
Cabilao area tricycles	Red

- b) Drivers with ailments on their feet are exempted from wearing shoes.

**ARTICLE VII
 REGULATION OF THE EXISTING OPERATION OF MOTORCYCLE-FOR-LEASE/HIRE OR
 SOLO TAXI LOCALLY KNOWN AS HABAL-HABAL**

Section 64. Rationale

- a) Under Section 7 of Republic Act 4136, or the Land Transportation and Traffic Code, which allows the classification of the following:
- Private passenger automobiles
 - Private trucks
 - Private motorcycle, scooter, or motor wheel attachments

“Motor vehicles registered under these classifications shall not be used for hire under any circumstances and shall not be used to solicit, accept or be used to transport passengers or freight for pay,” per LTFRB mandate.

- b) Under General Welfare Clause of the Local Government Code – Sections 5(c) & 16, Chapter 2, Title One, Book I of RA 7160
- Section 5. Rules of Interpretation – In the interpretation of the provisions of this Code, the following rules shall apply:
 - (C) The general welfare provisions in this Code shall be liberally interpreted to give more powers to local government units in accelerating economic development and upgrading the quality of life for the people in the community;
 - Section 16. General Welfare – every local government unit shall exercise the powers expressly granted. Those necessarily implied therefrom, as well as powers necessary, appropriate, or incidental for its efficient and effective governance, and those which are essential to the promotion of the general welfare. Within their respective territorial jurisdictions, local government units shall ensure and support, among other things, the preservation and enrichment of culture, promote health and safety, enhance the right of the people to a balanced ecology, encourage and support the development of appropriate and self-reliant scientific and technological capabilities, improve public morals, enhance economic prosperity and social justice, promote full employment among

their residents, maintain peace and order, and preserve the comfort and convenience of their inhabitants.

- c) Police Power – Police power is inherent in the State but not in municipal corporations. For a municipal corporation to exercise police power, there must be a legislative grant which necessarily also sets the limits for the exercise of the power. In the Philippines, the grant of authority is embodied in Sec. 2238 of the Revised Administrative Code, otherwise known as the general welfare clause. Chartered cities are granted similar authority in their respective charters.

The local government unit is empowered to exercise police power under the LGC, thus: Every local government unit shall:

- Exercise the power expressly granted.
 - Those necessarily implied therefrom, as well as powers necessary, appropriate, or incidental for its efficient and effective governance.
 - Those which are essential to the promotion of the general welfare. (Sec. 16, LGC)
- d) Explanatory Note – Explanatory note of Article IV, Art II, Phil. Constitution, state that the enactment of this Traffic and Transportation Code is pursuant to the Constitutional Principles that the prime duty of the government is to serve and protect its people and to the maintenance of peace and order, to the protection of life, liberty, and property, and promotion of the general welfare are essential for the enjoyment by all the people of the blessings of democracy.
- e) There is an existing motorcycle for hire locally known as “habal-habal” in this municipality since year 2007 more or less and illegally operating and transporting passengers without regulations of this LGU; hence, the need for public safety measures.

Section 65. Imposition of Fees. No motorcycle-for-lease /hire shall be allowed to operate within the territorial jurisdiction of the Municipality of Loon without having paid the following fees:

Mayor's Permit Fee inclusive of sticker and ID	-	P300.00
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Section 66. Definition. The following shall be defined and mean as follows:

- a) Motorcycle-for-lease or habal-habal – a motorcycle which offers transport service upon demand without a fix rate or shall be pre-determined by mutual agreement between passenger and driver.
- b) Regulatory Receipt – is a document issued to the owner of the motorcycle-for-lease evidencing full payment of the fees imposed and authority given to operate.
- c) Terminal Area – an area designated for motorcycle-for-lease or habal-habal for loading and unloading of passengers for public convenience and safety.
- d) Municipal Sticker – a sticker which shall contain the seal or name of the municipality of Loon and a bold number, for easy supervision and inspection, which shall be placed in front of the motorcycle and visible to the eyes of traffic enforcers (MUTRA) or apprehending officers of this LGU.
- e) Duly registered motorcycle – only motorcycles possessing complete and valid registration documents and other documents issued by the Land Transportation Office (LTO) shall be allowed to operate as motorcycle-for-lease/hire within the municipality.

Section 67. Operating Conditions. There shall be operating conditions as follows:

- a) No motorcycle-for-hire (habal-habal) shall be allowed to operate within the territorial jurisdiction of Loon without having a sticker attached to the motorcycle as an evidence of a mayor's permit issued by the Mayor with a corresponding color-coding based on its route destination of public service.

- b) Each unit shall be assigned a number and a corresponding sticker.
- c) No habal-habal driver shall engage in the business of transporting passenger without wearing an ID with ID No. duly prescribed by Municipal Traffic Management Office or issued by MUTRA with corresponding inspection report.
- d) Motorcycle-for-lease/hire shall be driven and operated in accordance with the provisions of the Motor Vehicle Law.
- e) The Office of the Mayor is given the right to suspend or cancel the authority given to owners to operate motorcycle-for-lease/hire for any violation of any provision of this ordinance.
- f) No habal-habal drivers shall be allowed to drive without wearing shoes except for valid reasons and the prescribed long-sleeve shirt uniform. The color of the shirt uniform shall be determined by the Municipal Mayor through an Executive Order.
- g) An owner shall report and inform the Office of the Mayor, thru the Municipal Treasurer's Office, in the event he/she ceases to operate a motorcycle-for-lease/hire for record purposes.

Section 68. Mode and time of payment of fees.

1. Payment

Motorcycle-for-lease/hire shall be paid at the Municipal Treasurer's Office, upon compliance of other requirements as may be required by said office, not later than January 20 of every year.

2. Surcharge

Late renewals after January 20, shall be assessed the full amount plus 25% quarterly charges with 2% interest on all fees.

Section 69. Requirements

Mayor's Permit – No Mayor's Permit shall be issued for new or renewal of application unless supported with the following requirements:

- a) Barangay Clearance
- b) Police Clearance
- c) MUTRA Inspection/Clearance
- d) Medical Certificate from Loon RHU Physician
- e) Driver's License
- f) Motor Registration from LTO (OR/CR)
- g) TPL Insurance

Mayor's Permit to operate shall be renewable within the first twenty days of January each year.

By the nature of its non-transferability, the Mayor's Permit shall specify the following: color, chasis and engine number, and current Registration Certificate number as motorcycle-for-lease/hire of each unit.

Section 70. Prohibited and Punishable Acts

Subject to the enumeration of LTO-based traffic violations, the following are the punishable acts:

- a) Loading of passenger/s or cargo/s for a fee without Mayor's Permit or with expired Mayor's Permit.
- b) Loading of passenger/s or cargo/s for a fee without driver's license or with expired driver's license, or fake driver's license.
- c) Loading of passenger/s or cargo/s for a fee without LTO Registration.
- d) Loading of passenger/s or cargo/s for a fee without TPL Insurance.
- e) Loading of passenger/s or cargo/s for a fee with any of the motorcycle defects: defective brake, or stand, non-functional horn, non-functional shock absorber, incomplete side mirrors, defective light/s or signal light, and related unattended mechanical concerns.

For this purpose any habal-habal which is on loading or parking site looking for passenger/s shall be construed to have engaged in the usual business of loading/transporting passengers and / or cargoes.

- f) Failure to wear an ID while driving for the entire day or duration of service.
- g) Collection of disapproved or excessive habal-habal fare.
- h) Transporting passengers in excess of its loading capacity.
- i) Discourteous driving
- j) Negligent driving
- k) Arrogant drivers
- l) No registration plate
- m) Dummy ownership
- n) Failure to wear shoes
- o) Failure to wear uniform
- p) Failure to wear helmet
- q) Illegal loading of passenger
- r) Overloading
- s) Refusal to convey passengers
- t) Loading and unloading on prohibited zone
- u) Illegal turning
- v) Reckless driving
- w) Illegal parking
- x) Smoking while driving or while at the public places
- y) Using cellphones or any gadgets while driving

Section 71. Penalty - For violating any of the provisions of this Article, the violator shall be administratively fined:

- a) Two Hundred Pesos (P200.00) - for the First Offense
- b) Three Hundred Pesos (P300.00) -for the Second Offense
- c) Five Hundred Pesos (P500.00) - for the Third and Succeeding offenses

ARTICLE VIII
TRAFFIC RULES AND SECURITY MEASURES AFFECTING PASSENGERS AT
INTERNATIONAL CRUISE SHIP PORT

Section 72. Security

- 1) *Police Outposts.* There shall be installed 2 Police Outposts along the Loon International Cruise ship Port, the specific areas of which shall be determined by the Municipal Mayor and with the supervision of the PNP.
- 2) *Duty.* There shall be a 24-hour duty of the personnel to be assigned therein on a shifting basis, to be scheduled by the Chief of Police in coordination with the Committee on Peace and Order of the Sangguniang Bayan, the Municipal Peace and Order Council, the Punong Barangay and headed by the Honorable Mayor.
- 3) *Functions.* The personnel assigned in the Police Outposts shall perform the following functions:
 - a) Enforce traffic ordinances, rules and regulations.
 - b) Enforce the provisions of the Integrated Solid Waste Management Ordinance.
 - c) Enforce the provisions of the Revised Penal Code and other special laws and cause for its prosecution for violation thereof.

Section 73. Waiting Shed and Parking Areas

- a) Highway Waiting Sheds. There shall be established a specific waiting shed and parking area for tricycles, "habal-habal, v-hires and buses at Loon Port road junction or any area approved by the Mayor. The specific dimension and assignments shall be determined by the LGU-Engineering Office.
- b) Parking Area. There shall be a parking area for tricycles, habal-habal, v-hires and buses at the waiting shed.

Section 74. Collection of Parking Fees

- a) There shall be a parking fee for tricycles, habal-habal, v-hires and buses at the parking area of the waiting shed.
- b) The office of the municipal treasurer is authorized to collect said parking fee.

Section 75. Road Users

- a) Private vehicles without business transaction at Loon International Cruise Ship Port shall pass through the Catagbacan-Lawis road.
- b) Public utility vehicles such as v-hires, multicabs, jeepneys or buses shall load or unload their passengers at the parking area of the Loon Port Road.

Section 76. Motor Vehicle Users Charge

- 1) *Vehicle Users Charge.* There shall be imposed vehicle users charge for vehicles, and not for cargoes, coming in or coming out from Loon International Cruise ship Port, passing through the Loon Port Road, on per day basis, viz:
 - a) private motorcycle - P2.00
 - b) motorcycle for hire - P5.00
 - c) private tricycle - P3.00
 - d) tricycle for hire - P5.00
 - e) private four-wheel vehicles - P5.00
 - f) multi-cab for hire - P10.00
 - g) taxi, jeepney for hire - P10.00
 - h) 4-wheel delivery panel, 4-wheel cargo trucks, passenger bus, 6 wheeler - P50.00
 - i) van for hire, coaster - P25.00
 - j) 8-wheeler cargo vehicles - P75.00
 - k) 10-wheeler and above cargo vehicle - P100.00
 - l) tourist buses - P50.00
 - m) more than 4-wheel private vehicles - P20.00

- n) heavy equipment such as bulldozer, backhoe, grader, road roller, road hauler, pay loader, etc - P350.00
- 2) *Management and Collection of Fees.* The Municipal Treasurer's Office shall deputize at least 2 personnel to manage the collection of fees.
- 3) *Environmental Fee.*
 - a) *Environmental fee.* There shall be imposed an environmental fee amounting to Two Pesos (P2.00) per passenger in consideration of cleanliness, safety and convenience of availing the services of the LGU in transacting business with the Loon International Cruise Ship Port through the Loon Port Road and other access roads.
 - b) *Collection area.* The area for the imposition of passenger's fee shall be the same with the imposition of vehicle user charge, to be managed by the Municipal Treasurer's Office personnel.

Section 77. Penalty. Any violator of this article shall be fined One Hundred Pesos (P100.00) per violation.

ARTICLE IX

CHILD FRIENDLY LOCAL GOVERNANCE

Section 78. Security and Public Safety Measures for children or students

- a) There shall be security and safety measures for children riding on any public or private vehicle in this municipality.
- b) No driver is allowed to transport by hitching or top loading children passengers.
- c) No driver is allowed to transport if children passengers are not seated properly inside the motor vehicle.

Section 79. Penalty. For violating any of the provisions of this Article, the violator shall be administratively fined:

- a) Three Hundred Pesos (P300.00) - First Offense
- b) Five Hundred Pesos (P500.00) - Second Offense
- c) One Thousand Pesos (P1,000.00) - Third and Succeeding Offenses

ARTICLE X

LOADING & UNLOADING AND PARKING RULES

Section 80. Issuance of Executive Order. The Municipal Mayor is hereby authorized to issue an Executive Order specifying the specific areas for loading and unloading of passengers, cargo and delivery trucks and its Parking Rules affecting the operations of public or private vehicles at Mercado de Loon, Loon Town Square, Catagbacan Public Market, Loon Port Road/ Loon International Cruise Ship Port.

Section 81. Special Treatments for Disabled Persons. Pursuant to Batas Pambansa Bilang 344 which mandates to enhance the mobility of disabled persons, the following special treatments shall be afforded to them:

- a) No public parking places, public or private buildings, work-places, public utilities shall be issued permit unless the owner or operator thereof shall install and incorporate in such building, establishment or institution or public utility, such architectural facilities or

structural features as shall personally enhance the mobility of disabled persons such as sidewalks, ramps, railings and the like.

- b) In the case of parking place of any of the above institutions, buildings or establishments, or public utilities, the owner or operator shall reserve sufficient and suitable space for the use of disabled persons.
- c) Devices such as prominent display of posters or stickers shall be used to generate public awareness of the rights of disabled persons and to foster understanding of their needs.
- d) Special bus stops shall be designed for disabled persons.
- e) Discriminating against disabled persons in the carriage or transportation of passengers is hereby declared unlawful.

ARTICLE XI

TRAFFIC VIOLATIONS: ITS LOCAL-BASED PENALTIES

Section 82. Applicability of Penalties on Traffic Violations. The following rules shall be observed in the application of penalties on Traffic Violations:

- a) The specific penalty embodied in the specific provision of this Code, as reflected in a specific Section or Article shall first be applied. In case of conflict, the specific penalty shall prevail.
- b) In the absence of a specific penalty, the penalty as embodied in this Article shall be applied.
- c) The local penalty as embodied in the "Local Penalty" column shall be preferably imposed for traffic violators with corresponding LGU receipt/s, not to exceed Two Thousand Five Hundred Pesos (P2,500.00).

Section 83. List of Traffic Violations and Penalties

The following is the list of traffic violations within the territorial jurisdiction of this municipality, viz:

TRAFFIC VIOLATIONS	LOCAL BASED PENALTY		
	1 st Offense	2 nd Offense	3rd and Succeeding Offenses
A. Licensing Violations –those violations involving the necessity of driving with valid and binding driver’s license			
Driving: 1) without Driver's License 2) with an expired driver’s license 3) with revoked driver’s license 4) with suspended driver’s license 5) with delinquent, invalid, ineffectual driver's license 6) with inappropriate/ improper driver's license 7) with fake driver's license 8) allowing other person to use his driver’s license 9) tourist driving a motor vehicle with a valid foreign driver's license beyond the 90-day maximum allowable period 10) student driver driving without being accompanied by	P500.00	P1,000.00	P1,500.00

a duly licensed driver			
11) Allowing unlicensed/ improper person to drive motor vehicle	P 200.00	P 300.00	P 500.00
12) Possession and use of fake/ spurious Driver's License	P 700.00	P 1,000.00	P 1,500.00
13) Allowing an unauthorized driver to drive PUV or allowing a driver to drive PUV without bringing his/her driver's license	P 500.00	P1,000.00	P2,000.00
14) Unlicensed conductor of a motor vehicle for hire	P 100.00	P 200.00	P 250.00
B. Franchise Violations - those violations involving the necessity of securing first a franchise prior to its operations			
1) Colorum vehicle operation 2) No franchise/Certificate of Public Convenience or evidence of franchise 3) Fake CPC, OR/CR, plates, stickers, and tags	Bus – P1,500.00	P2,000.00	P2,500.00
	Truck – P1,000.00	P 1,500.00	P2,000.00
	Jeepney -P700.00	P 1,200.00	P1,500.00
	Van – P700.00	P 1,200.00	P1,500.00
	Sedan/ taxi – P500.00	P 700.00	P 1,000.00
	Tricycle/Motorcycle – P200.00	P 300.00	P 500.00
C. Registration Violations – those violations involving the necessity of registering first the vehicle at the LTO prior to its operations			
1) Operating/ driving a motor vehicle which is unregistered/ improperly registered or with invalid registration -This includes driving with an improperly registered motor vehicle or a motor vehicle with expired, revoked, suspended or invalid registration, unregistered or fake substitute or replacement engine, engine block or chassis	P 200.00	P 500.00	P 1,000.00
2) Operating a motor vehicle with unregistered substitute or replacement engine, engine block or chassis	P 200.00	P 300.00	P 500.00
3) Failure to carry certificate of registration or official receipt of registration	P 50.00	P 50.00	P 50.00
4) Operating/ allowing the operation of MV with a suspended/ revoked Certificate/ Official Receipt of registration	P 100.00	P 300.00	P 500.00
5) Tourist operating or allowing the use of non-Philippine registered motor vehicle beyond the 90 day period of his	P 500.00	P 500.00	P 500.00

sojourn in the country			
7) Unauthorized Motor Vehicle Modification -This includes change in color and other unauthorized modifications of the standard manufacturer's specification not covered by the preceding section a.	P 500.00	P 1,000.00	P1,500.00
8) Fraud in Relation to the Registration of the Motor Vehicle and/or it's Renewal	P 500.00	P1,000.00	P1,500.00
9) All Other Violation in Connection with Motor Vehicle Registration/Renewal/Operation	P 500.00	P1,000.00	P1,500.00
D. Plates & Stickers Violations – those violations concerning number plates and stickers (RA 4136)			
1) Motor vehicle plates not firmly attached and visible a) Dirty or uncared for plates b) Inconspicuously displayed plates in front and rear c) No current registration sticker	P 100.00	P 300.00	P 500.00
2) License plates different from body number on Public Utility Vehicle	P 100.00	P 300.00	P 500.00
3) Improper display of motor vehicle plates by owner to accommodate a better display of commemorative/other plates	P 100.00	P 300.00	P 500.00
4) Display of expired commemorative/other plates	P 100.00	P 300.00	P 500.00
5) Tampered/marked plates/stickers	P 100.00	P 300.00	P 500.00
6) Illegal transfer and use of motor vehicle plates/tags or stickers from one motor vehicle to another except security plates on authorized vehicle	P 100.00	P 300.00	P 500.00
7) Unauthorized Motor Vehicle Modification -This includes change in color and other unauthorized modifications of the standard manufacturer's specification not covered by the preceding section a.	P 500.00	1,000.00	P1,500.00
8) Failure to Attach or Improper Attachment/Tampering of Authorized Motor Vehicle License Plates and/or Third Plate Sticker	P 300.00	P 500.00	P 1,000.00
E. Equipment Parts Violations - those violations relative to the absence/ defective equipment parts, accessories, devices and marking of motor vehicle (RA 4136)			

1) Operating motor vehicle a) with metallic tires in any public highway b) Defective brakes c) Improper/defective horn or signaling device d) Unnecessary lights visible in front of vehicle e) Without/defective headlights/taillights f) Without red rear, lights at both/each side visible at least 100 meters from vehicle g) Without plate light h) Without opening brake lights i) Without/defective wiper on the windshield j) Without/disconnected muffler	P100.00	P300.00	P500.00
2) Dirty/unsightly dilapidated motor vehicle	P50.00	P100.00	P150.00
3) Failure to paint or improper painting of authorized route of plates	P50.00	P100.00	P150.00
4) Non-painting of business or trade name	P50.00	P100.00	P150.00
5) Use of authorized improvised plates. Use of improvised plates to make motor vehicle appear as for hire	P50.00	P100.00	P150.00
7) Business name and address not inscribed on both sides of motor vehicle used for public service	P50.00	P100.00	P150.00
8) No spare tire	P50.00	P100.00	P150.00
9) Use of unauthorized bell, siren or exhaust whistled on emergency	P50.00	P100.00	P150.00
10) No red flag or red lights on projecting end of load extending more than a meter beyond the bed or body	P50.00	P100.00	P150.00
11) Failure to paint appropriate body number on a motor vehicle for hire on both sides	P50.00	P100.00	P150.00
12) Failure to carry Early Warning Device (EWD). Failure to install EWD four meters away to the front and rear of stalled/disabled motor vehicle	P50.00	P100.00	P150.00
13) No capacity marking	P50.00	P100.00	P150.00
14) Installation of jalousies, curtains, dim colored lights, strobe lights, dancing lights or similar lights/tinted colored or painted windshield or window glass. Sun visor or front windshield is allowed	P50.00	P100.00	P150.00
15) No permanent tailgate or failure to put "NOT FOR HIRE" sign in a private jeepney / jitney	P50.00	P100.00	P150.00
F. Weights & Load Limits Violations- those violations concerning weights and load limits			
1) Load extending beyond projected width without permit	P200.00	P500.00	P1,000.00

<p>2)Overloading</p> <p>a) Operating motor vehicle with wheel axle or axle group loads in excess of the limits in Sec. 9 R.A. 4136 or any regulation without permit</p> <p>b) Operating motor vehicle with total weight of cargo carrying device on passenger truck including cargo exceeds 100 kilos</p> <p>c) Allowing more passengers and/or more freight or cargo in vehicle beyond the registered carrying capacity</p> <p>d) Baggage or freight carried on top of truck exceeds 20 kilos per square meter and distribution of such endangers in the passenger or stability of the truck</p> <p>e) Axle Overloading</p> <p>f) Operating a Passenger Bus/Truck With Cargo Exceeding 160 kg.</p>	<p>P200.00</p>	<p>P500.00</p>	<p>P1,000.00</p>
<p>G. Driving Violations –those violations involving the driver’s personal responsibility of safely transporting passengers and goods without detriment or prejudice to the right of the third parties</p>			
<p>1)Use and involvement of motor vehicle by the driver in commission of a crime</p>	<p>P 200.00</p>	<p>P 500.00</p>	<p>P 1,000.00</p>
<p>2) Driving a Motor Vehicle While Under the Influence of Alcohol, Dangerous Drugs and/or Similar Substance Upon Final Conviction by a Regular Court of Competent Jurisdiction (Section 12, R.A. 10586)</p>	<p>P 200.00</p>	<p>P 500.00</p>	<p>P 1,000.00</p>
<p>3) Reckless Driving</p> <p>-This includes the following:</p>	<p>P200.00</p>	<p>P500.00</p>	<p>P1,000.00</p>
<p>a. Disregarding Traffic Signs</p>	<p>P200.00</p>	<p>P500.00</p>	<p>P1,000.00</p>
<p>b. Allowing passengers on top or cover of a motor vehicle except in a truck helper.</p>	<p>P 200.00</p>	<p>P500.00</p>	<p>P1,000.00</p>
<p>c. Failure to provide canvass cover to cargos or freight of trucks requiring the same.</p>	<p>P 200.00</p>	<p>P500.00</p>	<p>P1,000.00</p>
<p>d. Permitting passenger to ride on running board, step board or mudguard of MV while the same is in motion.</p>	<p>P 200.00</p>	<p>P 500.00</p>	<p>P 1,000.00</p>
<p>e. Failure to dim headlights when approaching another motor vehicle.</p>	<p>P 200.00</p>	<p>P 500.00</p>	<p>P 1,000.00</p>
<p>f. Driving in a place not intended for traffic or into place not allowed for parking.</p>	<p>P 100.00</p>	<p>P 300.00</p>	<p>P 500.00</p>
<p>g. Hitching or permitting a person or a bicycle, motorcycle, tricycle or skate roller to hitch to a motor vehicle</p>	<p>P 100.00</p>	<p>P 300.00</p>	<p>P 500.00</p>
<p>h. Driving against traffic – failure to pass to the right when meeting persons or vehicles coming towards him.</p>	<p>P 100.00</p>	<p>P 300.00</p>	<p>P 500.00</p>

i. Illegal turn – failure to conduct the motor vehicle to the right of the intersection of the highway when turning to the left in going from one highway to another.	P 100.00	P 300.00	P 500.00
j. Illegal overtaking – failure to pass to the left when overtaking persons or vehicles going the same direction except when there are two or more lanes for the movement of traffic in one direction.	P 100.00	P 300.00	P 500.00
k. Overtaking at an unsafe distance – failure to pass at a safe distance to the left of another motor vehicle when overtaking that vehicle.	P 100.00	P 300.00	P 500.00
l. Cutting an overtaken vehicle – driving to the right side of the highway after overtaking before his motor vehicle is safely clear of such overtaken vehicle.	P 100.00	P 300.00	P 500.00
m. Failure to give way to an overtaking vehicle – failure to give way to another vehicle approaching from the rear that wishes to overtake his vehicle when the former has given suitable and audible signal.	P 100.00	P 300.00	P 500.00
n. Increasing speed when being overtaken – increasing the speed of the motor vehicle before the overtaking vehicle has completely passed.	P 100.00	P 300.00	P 500.00
o. Overtaking when left side is not visible or clear of oncoming traffic – driving to the left side of the center line of a highway in overtaking or passing another vehicle proceeding in the same direction where the left side is not clearly visible and is not free of oncoming traffic for a sufficient distance to pass in safely.	P 100.00	P 300.00	P 500.00
p. Overtaking upon a crest of a grade – overtaking or passing another vehicle proceeding in the same direction when approaching the crest of a grade.	P 100.00	P 300.00	P 500.00
q. Overtaking upon a curve – overtaking or passing another vehicle proceeding in the same direction upon a curve in a highway where the driver's view along the highway is obstructed within a distance of 500 feet ahead.	P 100.00	P 300.00	P 500.00
r. Overtaking at any railway grade crossing – overtaking or passing another vehicle proceeding in the same direction at any railway grade crossing.	P 100.00	P 300.00	P 500.00
s. Overtaking at an intersection – overtaking or passing another vehicle proceeding in the same direction at any intersection of highways except on a highway having two or more lanes for movement of traffic in one direction where the driver of a vehicle may overtake another vehicle on the right.	P 100.00	P 300.00	P 500.00
t. Overtaking between 'men working' or 'caution' signs – overtaking or passing or attempting to	P 100.00	P 300.00	P 500.00

overtake or pass another vehicle proceeding in the same direction between warning or caution signs indicating that men are working on the highway.			
u. Overtaking at no overtaking zone – overtaking or passing or attempting to overtake or pass another vehicle proceeding in the same direction in any “no passing or overtaking zone”	P 100.00	P 300.00	P 500.00
<p>v. Right of Way Driving Violations:</p> <p>a) Failure to yield the right of way – failure of the vehicle on the left to yield the right of way to the vehicle on the right when these vehicles approach or enter an intersection at approximately the same time.</p> <p>b) Failure to yield the right of way – failure of a vehicle approaching but not having entered an intersection to yield the right of way to a vehicle within such intersection or turning therein to the left across the line of travel of the first mentioned vehicle when such vehicle has given a plainly visible signal of intention to turn.</p> <p>c) Failure to yield the right of way – failure of the driver of any vehicle upon a highway within a business or residential district to yield the right of way to a pedestrian crossing such highway within a crosswalk except at intersection where the movement of traffic is regulated by a peace officer or by traffic signal</p> <p>d) Failure to stop before traversing a “through highway” or railroad crossing – failure of the driver of a vehicle upon a highway to bring to a full stop such vehicle before traversing any “through highway” or railroad crossing</p> <p>e) Failure to yield right of way – failure of a vehicle entering a highway from a private road or drive to yield the right of way to all vehicles approaching on such highway.</p> <p>f) Failure to yield the right of way to ambulance, police or fire department or any rescue vehicles – failure of a driver upon a highway to yield the right of way to police or fire department vehicles and ambulances when such vehicles are operated on official business and the drivers thereof sound audible signal of their approach.</p> <p>g) Failure to yield right of way at a “through highway” or a “stop intersection” – failure of a vehicle entering a “through highway” or a “stop intersection” to yield the right of way to all vehicles approaching in either direction on such “through highway”</p>	P 100.00	P 300.00	P 500.00
w. Failure to give proper signal – failure to give the appropriate signal before starting, stopping or turning from a direct line.	P 100.00	P 300.00	P 500.00
x. Illegal turn	P 100.00	P 300.00	P 500.00

<p>a) failure of the driver of a motor vehicle intending to run to the right at an intersection to approach such intersection in the lane for traffic nearest to be right-hand side of the highway and, in turning, to keep as close as possible to the right-hand curve or edge of the highway.</p> <p>b) failure of the driver of a vehicle intending to turn to the left, to approach such intersection in the lane for traffic to the right of and nearest to the center line of the highway, and in turning, to pass, to the left of the center of the intersection except upon highway lane for traffic and upon one-way highway.</p>			
<p>y. Failure to stop motor and notch handbrake of motor vehicle when unattended failure to turn off the ignition switch and stop the motor and notch effectively the handbrake when parking a motor vehicle unattended on any highway.</p>	P 100.00	P 300.00	P 500.00
<p>z. Unsafe towing</p>	P 100.00	P 300.00	P 500.00
<p>aa. Obstruction – obstructing the free passage of other vehicles on the highway while discharging or taking passengers or loading and unloading freight, or driving a motor vehicle in such a manner as to obstruct or impede the passage of any vehicle.</p>	P200.00	P500.00	P1,000.00
<p>4) Driving Mismanagement includes-</p> <p>a) Failure to Wear the Prescribed Seat Belt Device</p>	P200.00	P500.00	P1,000.00
<p>b) Failure to Require His/Her Passenger/s to Wear the Prescribed Seat Belt Device</p> <p>-Includes Public Utility's failure to post signages instructing front seat passenger to wear seatbelts when inside the vehicle.</p>	P200.00	P500.00	P1,000.00
<p>c) Failure to Wear the Standard Protective Motorcycle Helmet or Failure to Require the Back Rider to Wear the Standard Protective Motorcycle Helmet</p> <p>-Includes wearing helmet with fake Philippine Standard (PS) or Import Commodity Clearance (IIC) sticker.</p>	P200.00	P200.00	P200.00
<p>5) Refusal to render service to the public or convey passenger destination</p>	P200.00	P500.00	P1,000.00
<p>6) Pick and drop passenger outside the terminal</p>	P200.00	P500.00	P1,000.00
<p>7) Trip cutting</p>	P200.00	P500.00	P1,000.00
<p>8) Refusal to Convey Passenger or Selective driver</p>	P200.00	P500.00	P1,000.00
<p>9) Arrogant driver</p>	P100.00	P300.00	P500.00
<p>10) Overcharging/Undercharging of fare</p>	P100.00	P300.00	P500.00
<p>11) smoking while parking w/ passengers or transporting</p>	P200.00	P500.00	P1,000.00

passengers			
12)any of the violations of the Anti-Distracted Driving Act, (RA 10913) – those prohibited acts made while driving which include but not limited to: a) making calls b) receiving call c) writing or texting d) sending text communication e) reading text-based communications f) playing games g) watching movies h) performing calculations i) reading e-books j) composing messages k) surfing or browsing the internet. -exceptions: (a) making emergency calls or texts to authorities in case of crimes, threats, calamities, etc. (b) using hands-free devices such as microphones or earphones only when making or receiving calls, not listening to music	P200.00	P500.00	P1,000.00
H. Traffic Violations- those violations which affect the transport sector, the riding public or any affected party.			
-This includes: 1)Illegal Parking: a) in an intersection b) within 5 meters of the intersection c) 4 meters from the driveway entrance d) within 4 meters from a fire hydrant e) in front of a private driveway f) on the roadway side of any unmoving or parked MV at the curb or edge of the highway g) at any place where signs of prohibitions have been installed	P100.00	P300.00	P500.00
2) Failure of the vehicle on the left to yield the right of way to the vehicle on the right when these vehicles approach or enter an intersection at approximately the same time.	P100.00	P300.00	P500.00
3) Failure to give proper signal	P100.00	P300.00	P500.00
4)Failure to stop motor and notch handbrake of motor vehicle when unattended	P100.00	P300.00	P500.00
5)Unsafe towing	P100.00	P300.00	P500.00
I. Operation Violations – those violations while operating its vehicle.			
1). Operating a Right Hand Drive Motor Vehicle	P100.00	P300.00	P500.00
2) Smoke Belching	P100.00	P300.00	P500.00
3) Failure to provide discount to those entitled	P100.00	P300.00	P500.00
4) Fast, tampered, defective taximeter	P100.00	P300.00	P500.00

5) No sign board	P100.00	P300.00	P500.00
6) Carrying of illegal and/or prohibited cargoes	P100.00	P300.00	P500.00
7) Failure to provide fire extinguisher for four wheel vehicle	P100.00	P300.00	P500.00
8) Failure to display fare matrix	P100.00	P300.00	P500.00
9) Breach of franchise conditions under 2011 Revised Terms and Conditions of CPC.	P100.00	P300.00	P500.00
10) Failure to provide proper body markings	P200.00	P500.00	P1,500.00
11) No franchise/Certificate of Public Convenience or evidence of franchise presented during apprehension or carried inside the Motor Vehicle	P200.00	P500.00	P1,500.00
12) Presentation of Fake CPC, OR/CR, plates, stickers, and tags	P200.00	P500.00	P1,500.00
13) Employing reckless, insolent, discourteous arrogant drivers	P200.00	P500.00	P1,500.00
14) Operating the unit/s with defective parts and accessories	P200.00	P500.00	P1,500.00
15) Failure to provide fare discount to those entitled under existing laws	P200.00	P500.00	P1,500.00
16) Failure to provide the Board with complete, correct, and updated operator's information (such as, but not limited to, address, contact numbers, list of drivers, etc.) and other forms of misrepresentation	P200.00	P500.00	P1,500.00
17) Failure to display "No Smoking" signage and/or allowing personnel or passenger to smoke inside the vehicle	P200.00	P500.00	P1,500.00
18) Fast, tampered, defective taximeter or operating without or with an old seal taximeter (TX only)	P200.00	P500.00	P1,500.00
19) Tampered, broken, joined, reconnected, fake or altered sealing wire (TX only)	P200.00	P500.00	P1,500.00
20) Violation of color scheme or design/Adoption of new color design without authority from the Board (PUB and TX only)	P200.00	P500.00	P1,500.00
21) Unregistered or unauthorized trade/business name (PUB and TX only)	P200.00	P500.00	P1,500.00
22) No Panel Route (PUJ, PUB, UV)	P200.00	P500.00	P1,500.00
23) No sign board (PUJ, PUB, UV)	P200.00	P500.00	P1,500.00
24) Pick and Drop of Passengers outside the Terminal (PUJ, PUB, UV)	P200.00	P500.00	P1,500.00
25) Carrying of illegal and/or prohibited cargoes	P200.00	P500.00	P1,500.00
26) Failure to provide fire extinguisher and required "STOP and GO" signage for use of each vehicle (STS	P200.00	P500.00	P1,500.00

only)			
27) Trip Cutting (PUJ, PUB, UV)	P200.00	P500.00	P1,500.00
28) Failure to display fare matrix (PUJ, PUB, UV)	P200.00	P500.00	P1,500.00
29) Failure to display the International Symbol of Accessibility inside the units and/or failure to designate seats specifically for the use of Person with Disabilities or Failure or refusal to transport PWDs (PUJ, PUB, TTS, UV)	P200.00	P500.00	P1,500.00
30) Breach of franchise conditions under 2011 Revised Terms and Conditions of CPC not otherwise herein provided.	P200.00	P500.00	P1,500.00
J. Traffic Discomforts to Disabled Persons (BP 344)			
1) Failure of the owner or operator of a building, establishment, institution or public utility to install and incorporate architectural facilities or structural features such as sidewalks, ramps, railings and the like which enhance the mobility of disabled persons	P200.00	P500.00	P1,500.00
2) Failure of the owner or operator of any of the institutions, buildings or establishments, or public utilities to reserve sufficient and suitable space for the use of disabled persons.	P200.00	P500.00	P1,500.00
3) Failure to designate "special bus stops disabled persons".	P200.00	P500.00	P1,500.00
4) Discriminating against disabled persons in the carriage or transportation of passengers is hereby declared unlawful.	P200.00	P500.00	P1,500.00
5) Failure to comply any of the following Requirements for Public Transportation in Favor of Disabled Persons (IRR of BP 344):	P 200.00	P 500.00	P1,000.00
1) Public transportation shall have designated seats for disabled persons. <ol style="list-style-type: none"> a. Regular buses shall have at least five (5) designated seats for disabled persons near exit/entrance doors. b. First class, premiere and air-conditioned buses shall have at least four (4) designated seats for disabled persons near the door. c. For provincial buses, regular and air-conditioned buses, the designated seats for disabled persons may be occupied by other passengers only if no disabled persons shall occupy these seats at the start of the trip. d. Jeepneys shall have at least two (2) seats; preferably the front seats as designated seats for disabled persons. e. For jeepneys, other passengers may use these designated seats if not occupied and yield them to incoming disabled passengers only if the yielding passenger 			

<p>can still be accommodated at the back</p> <p>f. In domestic shipping, each vessel shall:</p> <ol style="list-style-type: none"> a. Allocate on a per class-basis, areas for disabled passengers. These areas shall be nearest to the entrance and/or exit doorways of the vessels. b. Give priority to disabled passengers embarkation and disembarkation through the assignment of time windows. Disabled passengers shall be given a twenty (20) minute period to embark ahead of the three (3) hour embarkation time prior to the ships departure; and shall be allocated a maximum of one (1) hour for disembarkation after the ships arrival. <p>2) The designated seats shall be identified by the International Symbol of Access.</p> <p>3) At least one deck in passenger ships shall be provided with accessible ramps, passageway, access to gangways, galleys, safety equipment and bunks/berths/cabins with dimensions conforming with the requirements.</p>			
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Section 84. General Local Penalty. Unless otherwise specifically provided in the specific provisions, Section or Article of this Code, all the LTO-list traffic violations shall be adopted with the following penalties:

- | | | |
|--------------------------------|---|-----------|
| a) First Offense | - | P 300.00 |
| b) Second Offense | - | P 500.00 |
| c) Third & succeeding offenses | - | P 1000.00 |

ARTICLE XII

ISSUANCE OF CITATION TICKETS, ARREST AND CLEARANCE

Section 85. Rules in the Issuance of Citation Tickets. The following are the rules in the issuance of Citation Tickets:

- a) Any person who violates any of the provisions of this Code, rules and regulations, Executive Order, or laws which are covered in this Code, shall be penalized according to its specific penal provision of this Code, or in its general sense as covered in the same Article
- b) Traffic enforcers to include the MUTRA, PNP, Auxiliary Police and those authorized by the Mayor to assist in the enforcement of the traffic laws, rules and regulations, ordinances and Executive Order.
- c) Proceeds of the fine shall go to the coffer of the Municipal Treasurer's office.
- d) The violator who was issued a Citation Ticket is given 7 days or 168 hours within which to settle or pay his "administrative fine", failure of which shall cause for the filing of an appropriate case in court.

- e) For every traffic violation, the offender is issued a Citation Ticket by any member of the Municipal PNP Traffic Enforcement Division or any member of Municipal Traffic Aides (MUTRA) directing said offender to personally report and appear before the Office of the Chief of Police of the Municipal PNP within seven days (7) days from the date of issue of said citation ticket and directing said offender to pay a fine at the Municipal Treasurer's Office.
- f) However, if the traffic violator reports to the Office of the Chief of Police of the Municipal PNP within the reglamentary period of seven (7) days and pays the administrative fine/ penalty at the Treasurer's Office where the local-based penalty shall be imposed.

Section 86. Penalty. Except if specifically penalized in the preceding sections, for violating any of the provisions of this Article, the violator shall be administratively fined:

- a) Three Hundred Pesos (P300.00) - for the First Offense
- b) Five Hundred Pesos (P500.00) -for the Second Offense
- c) One Thousand Pesos (P1,000.00) - for the Third and Succeeding offenses.

Section 87. Sharing Scheme of Fines

The administrative fines imposed in violation of the Traffic Rules and Regulations and the provisions as embodied in the Traffic Code/ Ordinances shall be shared as follows:

- a) 75% - LGU Loon General Fund
- b) 25% - shall be allocated for the operational expenses of MTMO and MUTRA personnel

Section 88. Procedure upon Apprehension

- a) In every case when a citation is issued the original of the same shall be given to the violator or in the case of an unattended vehicle the original of the same shall be affixed to said vehicle.
- b) Any vehicles involved in any accidents or violations such as unregistered vehicles, no drivers license, driving minors, drunk driving, illegal muffler, no Mayor's Permit, no LTO for hire or MTOP franchise, stolen vehicles, and other illegal acts shall be deposited at the designated impounding area of the LGU.

Section 89. Clearance

- a) No renewal of the Driver's license or registration of motor vehicle or motorcycle shall be allowed by the Land Transportation unless a clearance is first secured from the Municipal Police Traffic Law Enforcement Division. The purpose of the clearance is to show whether the driver or owner of a vehicle or motorcycle has derogatory record with the Municipal Traffic Division and to prevent the violator from deliberately evading payment of delinquent fines.
- b) No franchise shall be approved or renewed without a MUTRA Clearance certifying that the tricycle operator or driver has no liability or has settled its fines and other traffic violations.

**ARTICLE XIII
ACCIDENTS**

Section 90. Duty of Driver in Case of Accident

In the event that any accident should occur as a result of the operation of the motor vehicle upon a highway, the driver of that vehicle shall stop immediately, and, if required by any person present shall show his driver's license, give his true name and address and also the true name and address of the owner of the motor vehicle.

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

- a) If he is in imminent danger of being seriously harmed by any person or persons by reason of the accident;
- b) If he reports the accidents to the nearest officer of the law; or
- c) If he has to summon the physician or nurse to aid the victim.

Section 91. Accidents Involving Death or Personal Injuries

The driver of any vehicle in an accident resulting in injury or death of any person shall immediately stop such vehicle at the scene of accident or as close thereto as possible but shall then forthwith return to and in every event shall remain at the scene of the accident until he has fulfilled the requirements provided herein. Every such stop shall be made without obstructing traffic any more than is necessary.

Section 92. Accident Involving Damages to a Vehicle

The driver of any vehicle involved in an accident resulting only in damage to a vehicle which is driven or attended by any person shall immediately stop such vehicle at the scene of the accident or as close thereto as possible but shall forthwith return to and in every event shall remain at the scene of such accident until he has fulfilled the requirements of Section 3, Article V. Every such stop shall be made without obstructing traffic any more than is necessary.

Section 93. When Drivers Unable to Report

Whenever the driver of the vehicle is physically incapable of giving an immediate notice of the accident as herein required and there was another occupant in the vehicle at the time of the accident capable of doing so, such occupant shall make or cause to be given the notice not given by the driver.

Section 94. Police Department to Tabulate and Analyze

The police department shall tabulate and may analyze all traffic accident reports and shall publish annually or at more frequent intervals statistical information based thereon as to the number and circumstances or traffic accident.

ARTICLE XIV FINAL PROVISIONS

Section 95. Incorporation of Provisions. Any law, rules or regulations, Executive Order or circulars, including the PUV Modernization Program of 2018 substantiated by Executive Order No.125-A and Administrative Order No.202, series of 1987 consistent with the national government policy which affect transportation within the territorial jurisdiction of this municipality duly issued by the authorities shall form part of this Code.

Section 96. Separability Clause. Any provision of this Code which is declared invalid or unconstitutional shall not affect the validity of the other provisions of this Code.

Section 97. Repealing Clause. Any provision to the previous ordinance which may be inconsistent herewith shall be deemed repealed.

Section 98. Effectivity. This ordinance shall take effect immediately upon its approval and due publication in a newspaper of general circulation in three consecutive weeks.

UNANIMOUSLY APPROVED.

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I hereby certify to the correctness of the above-quoted ordinance.

FIDELINO P. CORITICO, LLB
Secretary to the Sanggunian

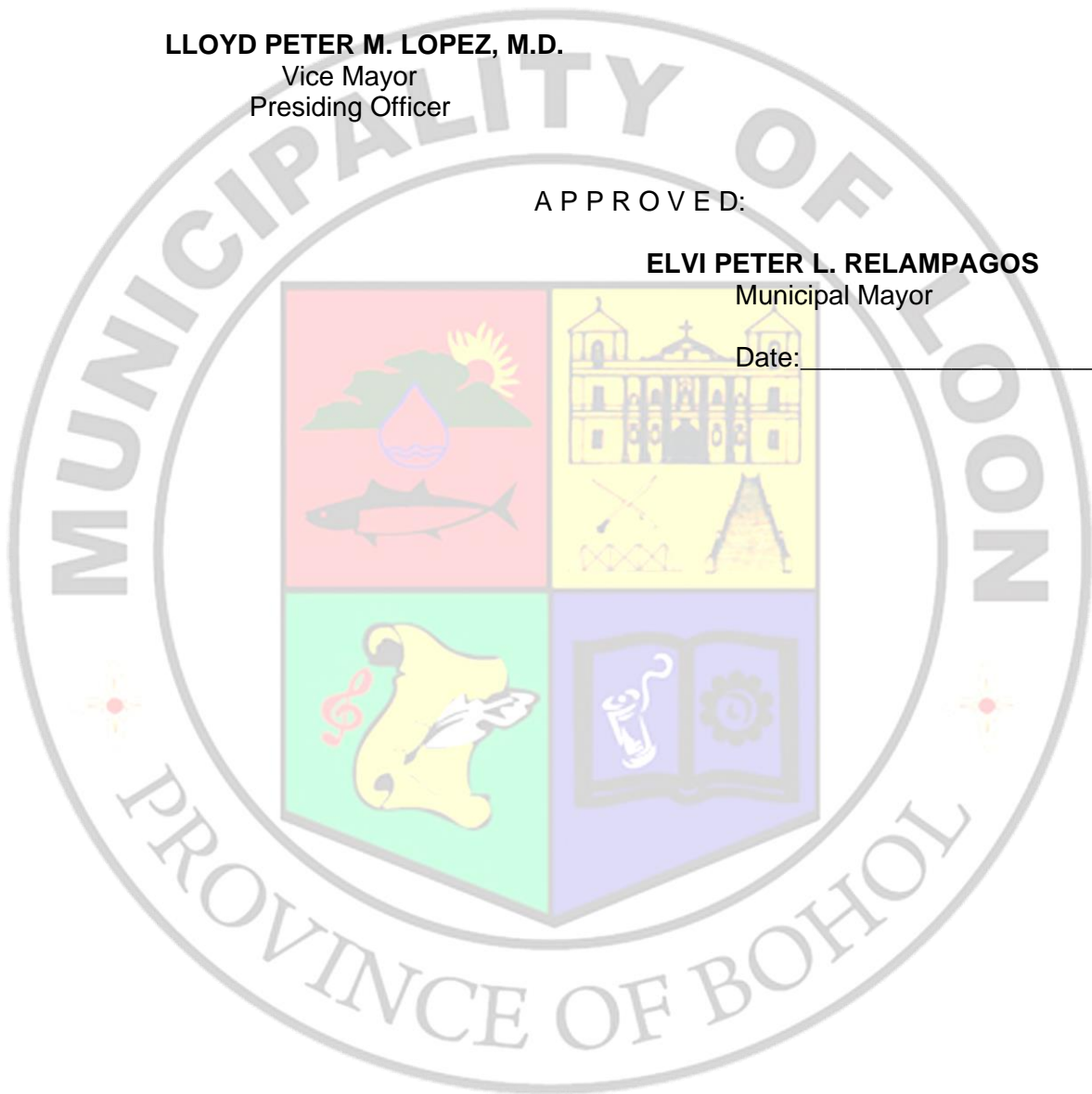
ATTESTED:

LLOYD PETER M. LOPEZ, M.D.
Vice Mayor
Presiding Officer

APPROVED:

ELVI PETER L. RELAMPAGOS
Municipal Mayor

Date: _____



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Secretary to the Sanggunian

ATTESTED:

LLOYD PETER M. LOPEZ, M.D.
Vice Mayor
Presiding Officer

APPROVED:

ELVI PETER L. RELAMPAGOS
Municipal Mayor

Date: 08/06/18