ORDINANCE NO. 10551-2007

AN ORDINANCE PROVIDING FOR THE TRAFFIC CODE OF THE CITY OF CAGAYAN DE ORO, AMENDING PERTINENT PROVISIONS OF THE CODIFIED ORDINANCE OF THE CITY OF CAGAYAN DE ORO, AND FOR OTHER PURPOSES

BE IT ORDAINED by the City Council (Sangguniang Panlungsod) of the City of Cagayan de Oro in session assembled that:

ARTICLE I

GENERAL PROVISIONS

SECTION 1. Title. - This Ordinance shall be cited as the Traffic Code of the City of Cagayan de Oro, otherwise known as the City’s Road Use Traffic Plan.

SECTION 2. Scope of Application – This Ordinance provides for the traffic rules and regulations on all roads in the City, whether national or local in classification; pedestrian rules and regulations; vehicles stops and transport terminals; the use of sidewalks and alleys; road use by all motor vehicles including motorized tricycles and pedicabs, bicycles, horse-drawn rigs, pushcarts and other forms of conveyances, whether public or private; day-parking zones and night-parking zones; and in general, such other rules and regulations hereinafter promulgated in furtherance of an optimum utilization of the road network in the City of Cagayan de Oro. Where the context applies, the rules shall also apply to public places.

SECTION 3. Declaration of Policy – It is hereby declared the policy of the City of Cagayan de Oro that:

(a) the flow of people and goods through the road network shall be as efficient, safe, unhampered and orderly as possible for the economic and social vitality and viability of the City;
(b) urban road space is a scarce commodity, the competing use of which must be allocated for the greatest good and the greatest number through judicious, fair, participatory and informed traffic management system;
(c) traffic problems and issues must be resolved in a rational manner, guided by facts and shaped through consultation, collaboration, and coordination with the different Barangays as well as national agencies like the Department of Public Works and Highways and the Department of Transportation and Communications;
(d) the public has the right to be informed a priority, and to participate in the formulation of any measures that may effect their community and traveling habits.

SECTION 4. Definition of Terms – When used on this Code, the following terms shall be construed to mean as follows:

1. **Abandoned vehicle** - any vehicle unattended for more than twenty-four (24) hours on a public highway.
2. **Authorized maintenance vehicle** - any vehicle of the City Government used in street lighting, traffic signal, highway construction and highway repair and maintenance works.
3. **Authorized two vehicles** - any vehicle specially constructed or towing vehicles, other than trucks and farm or road tractors, which is designated as an authorized tow vehicle by the City.
4. **Acceleration lane** - a speed change lane used for increasing speed and merging with fast moving vehicles.
5. **Bicycle** - any two-wheeled vehicle propelled solely by human power.
4. **Bicycle path or lane** – a way established for the exclusive use of bicycle, including tricycles propelled by human power, but excluding pushcarts and animal drawn vehicles.

5. **Built-up area** – a type of street normally characterized by relatively low speeds, wide ranges of traffic volumes, narrower lanes, frequent intersections and driveways, significant pedestrian traffic, and prevalence of businesses and houses.

6. **Center** in relation to a thoroughfare, means a line or series of lines, marks or other indications at the middle of the thoroughfare or, in the absence of any such line, lines marks, or other indications, the middle of the main traveled portion of the thoroughfare.

7. **Channelized intersection** – an intersection provided with islands meant to guide and limit vehicle movements.

8. **Clearway** – a length of carriageway generally defined by signs, along which vehicles may not stop or be left standing at times of the day as provided on the signs.

9. **Deceleration lane** – a speed change lane used for decreasing speed, preparatory to stopping or exiting a fast lane.

10. **Divided road** – a highway or road with separated carriageways for traffic traveling in opposite directions.

11. **Driver** – Any person having control of the directional and motive power of a vehicle.

12. **Emergency vehicle** – means a motor vehicle:

   (a) conveying members of the police force on urgent police duty,

   (b) of a fire brigade traveling to or on duty at any place in consequence of a fire or an alarm of fire,

   (c) being an ambulance or any other vehicle, answering an urgent call or conveying to a hospital any injured or a sick person urgently.

   (d) being used to obtain or convey blood or other supplies, drugs or equipment for a person urgently requiring treatment which may or may not carry a siren, bell or repeater horn for use as a warning instrument, or

   (e) duly authorized as an emergency vehicle or purposes of this Code by the appropriate authority;

13. **Footway** – that portion of the road set aside for pedestrian use only.

14. **High beam** – means a beam of light projected from vehicle headlights such that the main bright portion of the beam thereof rises above the horizontal plane passing through the lamp centers parallel to the road level upon which the vehicle stands.

15. **Horn** – includes any or every device for signaling by sound.

16. **Intersection** – the place at which two or more roads cross.

17. **Lanes thoroughfare** – means a thoroughfare divided into two or more marked lanes for vehicular traffic.

18. **Low beam** – means a beam of light projected from vehicle headlights such that none of the main bright portion of the beams thereof rises above a horizontal plane passing through the lamp centers parallel to the road level upon which the vehicle stands.

19. **Marked crosswalk** – means a portion of a thoroughfare between two parallel lines marked across the thoroughfare, intended for use of pedestrian.
22. Merging – the converging of separate streams of traffic into a single stream.

23. Motor vehicle – means any conveyance designed to be self-propelled, and includes any vehicle designed to be propelled by electric power obtained from overhead wires but not operated upon rails.

24. No parking area – means a portion of a thoroughfare between two consecutive "No Parking " signs and with arrows pointing generally towards each other or other appropriate signs.

25. One-way thoroughfare – means a thoroughfare on which vehicles are permitted to travel in one direction only, as indicated by appropriate signs or signals.

26. Overtake – to pass or attempt to overtake or pass a slower-moving vehicle traveling in the same direction.

27. Parked – a vehicle is said to be parked if it is stationary for the period during which the vehicle is not limited to the time needed to pick up or set down persons or goods.

28. Parking area – means a portion of the thoroughfare where parking is permitted as indicated by appropriate notices or parking signs.

29. Reckless Driving – a person while driving a motor vehicle fails to take such ordinary care as under the circumstances it is his legal duty to do to avoid injury to person or property.

30. Pedestrian – any person on foot or in a perambulator.

31. Public Place – any place where the public have access, upon payment or otherwise.

32. Road – sometimes called street or highway, means that part of the land surface designed or used for the passage of vehicles, whether motorized or not, inclusive of sidewalks and shoulders forming part of the right-of-way.

33. Road marking – any traffic control device laid out or painted on the surface of the road or carriageway used to regulate traffic or to warn or guide road users, used either alone or in conjunction with other signs or signals to emphasize or clarify their meaning.

34. Roundabout – an intersection where all traffic travels in one direction around a central or circular island.

35. Separation line – a line marked on the pavement of a thoroughfare to separate traffic traveling in opposite direction.

36. Standing – a vehicle is said to be standing if it is stationary for the time needed to pick up or set down persons or to load or unload goods.

37. Stop line – a line marked across the thoroughfare near a traffic control signal, stop sign, children’s crossing or intersection.

38. Thoroughfare – means that portion of a road improved, designed or used for vehicular travel exclusive of the shoulder and footway.

39. Traffic control signal – means any device using a word or words, a symbol or symbols, a colored light or lights or any combination thereof, operated mechanically, electrically, manually or otherwise by means of which traffic may be controlled or regulated.

40. Traffic Island – a defined area within the roadway, usually at an intersection and set off above ground level, from which traffic is intended to be excluded and which is used for control of vehicular movements and as pedestrian refuge.

41. Roads and Traffic Administration – refers to the City’s organization or office designated and authorized to perform traffic engineering, planning, education, and/or enforcement activities.

42. Trailer – a vehicle not otherwise self-propelled, usually attached to the rear of a motor vehicle.
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Two -way thoroughfare – means any thoroughfare where traffic is permitted in opposite directions.

U-turn – means a movement which causes a vehicle facing or traveling in one direction to face or travel in the opposite, or substantially the opposite direction.

Vehicle- means any conveyance or other device propelled or drawn by any means and includes a bicycle and, where the context permits, includes an animal driven or ridden, but does not include a train.

Waiting – means a vehicle permitted to remain stationary with the motor running.

Yellow Box – the portion of the intersection marked with yellow lines that should be kept clear of vehicles at all times.

Children includes any person sixteen (16) years old and below or those over but are unable to fully take care of themselves for abuse, neglect, exploitation or discrimination because of physical or mental disability or condition;

Conductor or helper refers to a person who assists the driver of a public utility vehicle in collecting fare from passengers and/or carrying cargoes of passengers;

Dispatcher refers to a person who solicits passengers and/or facilitates the orderly loading and unloading of passengers and their cargoes.

Tinted Glass shall refer to the sides and back glass windows and windshield of vehicles which are shaded, smoked, colored or stained which hamper the view to the interior of the vehicle and shall include smoked glass, one-way glass or other similar type of glass.

Rural Barangays are those enumerated in Title II of Ordinance No. 4373-94, otherwise known as the Codified Ordinance of Cagayan de Oro City.

Trisikad refers to bicycle with sidecar used for ferrying or transporting passengers, goods, things or cargoes for a fee.

Tricycle refers to motorized tricycle for hire.

Slow Moving Vehicle refers to trisikad, tricycle, motorela, push-cart and animal-drawn carriage, whether for hire or for private use.

Eastbound Public Utility Vehicles – public utility vehicles, except taxicabs, plying the routes Cagayan de Oro City to Tagoloan in Misamis Oriental or Manolo Fortich in Bukidnon and further municipalities/cities and vice-versa.

Westbound Public Utility Vehicles – public utility vehicles, except taxicabs, plying the routes Cagayan de Oro City to Opol, Misamis Oriental and further municipalities/cities and vice-versa.

Cargo or Delivery Truck shall include all types of trucks including delivery vans and other light vehicles used for the delivery of merchandise and similar items.

ARTICLE II

ACCIDENTS AND ACCIDENTS REPORTS

SECTION 5. Accidents involving Death or Personal Injuries or Damage to a Vehicle. - The driver of any vehicle involved in an accident resulting in injury or death of any person or damage to a vehicle which is driven or attended by any person, shall immediately stop such vehicle at the scene of the accident and shall remain at the scene of such accident until he has fulfilled the requirements of the immediately following section of this Ordinance. Every step must be taken to ensure that such stop is made without obstructing traffic.
SECTION 66. Duty to Give Information and Render Aid - The driver of any vehicle involved in an accident resulting in injury to or death of any person or damage to any vehicle or other property shall give his name, and the vehicle license plate number he is driving and upon request, exhibit his driver's license to the person struck, or to the driver or occupant of, or person attending the vehicle collided with, and shall render reasonable assistance to any person injured in such accident.

SECTION 77. Duty upon Striking Unattended Vehicle - The driver of any vehicle that collides with any vehicle which is unattended shall immediately stop and shall then locate the driver and notify the operator or owner of such vehicle, or shall leave in a conspicuous place in the vehicle struck a written notice giving the name and address of the driver or the owner of the vehicle doing the striking, together with the license plate number of said vehicle and a statement of the circumstances thereof.

SECTION 88. Duty upon Striking Fixtures on a Road - The driver of any vehicle involved in an accident resulting only in damage to fixtures adjacent to a road shall take reasonable steps to locate and notify the person in-charge of such property and shall give his name and address, and the vehicle license plate number he is driving and upon request exhibit his driver's license and shall make a report of such accident required by this Ordinance.

SECTION 99. Report of Accidents -

(a) The driver of any vehicle involved in an accident resulting in injury or death of any person shall, immediately by the quickest means of communication, give notice of such to the police department or local traffic authority.

(b) The driver of any vehicle involved in property damage, shall make an agreement to the persons whose property is involved as the amount of property damage sustained, provided, however, that no agreement can be reached between the two parties, the accident shall be reported immediately to the police department.

(c) Every Law enforcement officer who, in the regular course of duty, investigate a motor vehicle accident of which report must as provided, herein either at the time of and at the scene of the accident or thereafter by interviewing participants or witness, shall, within 24 hours after completing such investigation, forward a written report of such accident to the Cagayan de Oro Roads and Traffic Administration.

SECTION 1010. Accident Report Forms:

(a) The Cagayan de Oro Roads and Traffic Administration shall prepare and upon request supply to garages and agencies concerned, forms for accident reports required hereunder, with respect to the persons required to make such reports and the purpose to be serve. The written reports to be made by persons involved in accidents and by the investigating officers shall call for sufficient detailed information to disclose with reference to such accidents the causes, existing conditions and the person and vehicle involved.

(b) Every accident report required to be made in writing shall be made on the appropriate form prescribed by the traffic police department and agreed with national agencies. The report shall contain all the information required in the form, unless not available.
SECTION 1314. Garage to Report. - The person in charge of any garage or repair shop of which a motor vehicle brought showed evidence of having been involved in an accident or struck by any bullet, shall report to the police department within 24 hours after such motor vehicle is received, giving the engine number, plate number, the name and address of the owner or driver of such vehicle, and a description of the suspicious or unusual circumstances.

SECTION 1312. Accident Reports Confidential. - All accident reports in writing made by person involved in accidents or by garages shall be for the confidential use of the Police Department or other City agencies having use for the records for accident prevention purposes, except that the police department may disclose the identity of a person involved in an accident when such identity is not otherwise known or when such person denies his presence at such accident. No such report shall be used as evidence in any trial, civil or criminal arising out of an accident except that the police department shall or upon demand of any Court, issue a certificate showing that a specified accident report has or has been made to the police department solely to prove a compliance or a failure to comply with the requirement that such a report be made to the police department.

SECTION 1313. When Driver Unable to Report:

(a) An accident report is not required under this Article from any person who is physically incapable of making report during the period of such incapacity.

(b) Whenever the driver of a vehicle is physically incapable of giving an immediate notice of an accident as required in Section 63 and there was another occupant in the vehicle at the time of the accident capable of doing so, occupant in the vehicle shall make a report not made by the driver or if the driver is not the owner of the vehicle, then the owner of the vehicle involved in such accident shall within 5 days after learning of the accident make such report not made by the driver.

SECTION 1314. Responsibility to Tabulate and Analyze Accident Reports. - Without infringing on the authority of the Police, the Roads and Traffic Administration until shall tabulate and analyze all accident reports and shall publish annual the statistical information based to the number and circumstances of traffic accidents.

SECTION 1315. Copies of Reports to the Furnished to the Office of the City Mayor. - The head of the Cagayan de Oro Roads and Traffic Administration shall furnish true copies of all accident reports within 48 hours from the filing thereof, to the Police, and the Office of the City Mayor.

ARTICLE III

CARELESS AND DANGEROUS DRIVING UNDER THE INFLUENCE OF LIQUOR OR DRUGS

SECTION 1616. Scope. - The provisions of this Article shall apply to drivers, vehicles and pedestrians on any road or any place.

SECTION 1712. Reckless Driving. - No person shall operate a motor vehicle on any road recklessly or without reasonable caution considering the width, traffic, grades, crossing, curvatures, visibility and other conditions of the road and the conditions of the atmosphere and weather to endanger
the property or the safety or rights of any person or to cause excessive or unreasonable damage to the road.

**SECTION 18. Driving a Motor Vehicle while Under the Influence of Liquor or Incapacitating Drug.** No person shall drive a motor vehicle while under the influence of liquor or incapacitating drug. For the purposes of this Section, a driver is considered under the influence of liquor, if, at the time of competent examination performed within an hour of apprehension of a person, he is found to have in his blood at least 0.60% of alcohol or, in the case of drugs, if it is reasonably manifest from his actions or behavior that his exercise of his five senses is physically impaired as to expose himself or the vehicle or other persons to a danger of accident. The operation of any transport unit, although not motorized, in the manner stated herein above, is likewise prohibited.

**SECTION 19. Mandatory drug or alcohol testing of drivers involved in accidents.**

(a) All police traffic investigator or the inquest prosecutor, depending on whether the accused is under police or custodial investigation, shall require the drug and/or alcohol testing of drivers involved in vehicular or traffic accidents within 24 hours from the time the accident happened.

(b) The drug or alcohol test shall be done in any government medical institution, the PNP facilities or other government accredited drug/alcohol testing centers at cost of the concerned driver/s or the owner/operator of the vehicle who, under criminal law, is subsidiarily civilly liable on account of an offense.

(c) The result of the drug or alcohol test shall become part of the record, which shall be appended to the traffic investigation report.

(d) No traffic investigation report shall be released by the police traffic investigator or the inquest prosecutor for purposes of insurance claim unless the concerned driver/s shall be able to submit the result of the drug or alcohol test within the prescriptive period supra indicated.

(e) Any traffic police investigator who is found to have failed to enforce the provisions of this Ordinance shall be administratively charged for dereliction of duty pursuant to existing rules and regulations.

**ARTICLE IV**

**OBEEDIENCE TO TRAFFIC-CONTROL SIGNALS AND SIGNS**

**SECTION 20. Obedience to Traffic Control Signals:**

Every person shall at all times observe and comply with the instructions of any traffic control signal applicable to him.

The display by a traffic control signal of

(a) a green circle is an instruction that a driver facing the traffic control signal may, subject to the provisions of this Article, proceed straight ahead, turn left or turn right unless a signal at such place prohibits either such turn. Vehicles turning right or left shall give way to any opposing traffic and/or pedestrians.
A green signal and walking man symbol is an instruction that a pedestrian facing the traffic control signal may proceed across the thoroughfare;

(b) an amber circle alone is an instruction that

(i) a driver facing the traffic control signal shall not proceed beyond the stop line, or in the absence of a stop line, the traffic control signal itself, unless his vehicle is so close to the stop line or traffic control signal when the color amber first appears that he cannot safely stop his vehicle before passing the stop line or traffic control signal;

(ii) a pedestrian facing the traffic control signal shall be obstruct vehicles entering or approaching the intersection;

(c) a red circle alone is an instruction that

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

(ii) a pedestrian facing the traffic control signal shall not obstruct vehicles entering or approaching the intersection;

(d) a red square and standing man signal is an instruction that a pedestrian facing the traffic control signal shall not enter upon the thoroughfare;

(e) a green arrow is an instruction that a driver facing the traffic control signal may proceed in the direction indicated by the arrow;

(f) an amber arrow is an instruction that a driver facing the traffic control signal shall not for the purpose of proceeding in the direction indicated by the amber arrow, proceed beyond the stop line or, in the absence of a stop line, shall not enter the intersection at or near which the traffic control signal or the intersection when the amber arrow first appears that he cannot safety stop his vehicle before passing the stop line or entering the intersection;

(g) A red arrow is an instruction that a driver facing the traffic control signal shall not for the purpose of proceeding in the direction indicted by the red arrow proceed beyond the stop line or, in the absence of a stop line, shall not enter the intersection at or near, which the traffic control signal is erected.

SECTION 21. Obedience to Signs – Traffic signs installed shall be obeyed by motorist at all times. For purposes of this Article:

(a) A driver shall not cause his vehicle to turn at any intersection contrary to the instruction to turn on any “No Turns”, “No Left Turn”, “No Right Turn” or “No U-turn” signs erected to face an approaching driver at or near the intersection.

(b) Where a “One Way” sign is erected to face a driver entering a thoroughfare to face an approaching driver, the driver shall not proceed on that thoroughfare beyond the sign.

(c) Where a “No Entry” sign is erected over or adjacent to thoroughfare to face an approaching driver, the driver shall not proceed on that thoroughfare beyond the sign.

(d) Where a “No Overtaking or Passing” sign is to face an approaching driver, the driver shall not overtake or pass a vehicle traveling the same direction.
(a)(i) Where a “No Overtaking on Bridge” sign is erected near a bridge to face an approaching driver, the driver shall not overtake a vehicle on the bridge;
   (b) a driver shall not drive a vehicle and its load, including trailer attached to it, when it exceeds the weight indicated on the bridge load limit sign facing the driver.

(2)(a) Where a “Keep Right” sign is erected to face an approaching driver, the driver shall pass to the right of the sign;
   (b) Where a “Keep Left” sign is erected to face an approaching driver, the driver shall pass to the left of the sign.

(3)(a) Where a Stop sign is erected to face a driver who is approaching or has entered an intersection, the driver shall;
   (a) Stop his vehicle before reaching and as near as practicable to the stop line associated with the sign or, in the absence of a stop line, at the point nearest the first intersecting thoroughfare where he has a clear view of traffic approaching the intersection; and
   (b) On reaching and after passing such sign, give way to any vehicle which is entering or within or leaving the intersection, except where that vehicle:
      (i) is facing or has passed a “Stop” sign or a “Give Way” sign erected at the intersection, and
      (ii) is about to turn, or is turning at the intersection.

(4)(a) Where a “Give Way” (or “Yield”) sign erected to face a driver who is approaching or has entered an intersection, the driver shall on reaching or after passing such sign give way to any vehicle which is entering or within or leaving the intersection road, except where that vehicle;
   (b) (i) is facing, or has passed a “Stop” sign or “Give Way” sign erected at the intersection, and
   (ii) is about to turn, or is turning at the intersection;

(5)(a) Where a “Give Way” sign is erected to face a driver approaching a bridge, the driver shall not pass the sign while any vehicle traveling in the opposite direction is between the sign and far end of the bridge.

SECTION 22. Exemptions for Emergency Vehicles - The driver of any emergency vehicle may, when it is expedient and safe to do so:
   (b) on a sounding siren, bell or repeater horn, proceed, pass a traffic control signal displaying a red or amber circle or a red amber arrow or proceed contrary to the direction or instruction of any traffic control devices;
   (c) on a sounding siren, bell or repeater horn, drive in any direction or any part of a road or overtake or pass on either side of another vehicle; stop, leave waiting or park the vehicle at any place at any time; or
   (d) exceed the speed limits prescribed under this Ordinance.
ARTICLE V
TRAFFIC SIGNS, SIGNALS AND MARKINGS

SECTION 23. Erection and Interference with Traffic Control Items:

(a) No person shall, except when duly authorized by the proper authority, erect, establish or display on any road or in the view of any person on any road, or interfere with, alter or take down, any traffic control sign or item.

(b) No person shall erect, establish, place, maintain, or display on any road or in the view of any person on any road anything which purports to be or is an imitation of or similar to any traffic control sign or item, or which interfere with the effectiveness of or prevents an approaching driver from clearly distinguishing the whole or part of any traffic control item, or distracts his attention from any traffic control sign or item.

SECTION 24. International road sign standard. - All traffic signs to be installed within the limits of Cagayan de Oro shall conform with the International Road Sign Standard, indicating the Ordinance and/or Executive Order Number that mandates the installation.

SECTION 25. Limits on Operation of Signs. - Any sign associated with a "No Parking Area", "No Waiting Area", or "Parking Area" or any sign of a kind referred herein shall be limited in its operation and effect in respect of days, periods of the day, classes of vehicles or circumstances to the extent (if any) shown on the sign.

SECTION 26. Traffic Control Signs or Items to be Operative:

(a) Where any traffic-control sign or item of a kind referred to in this article exists on road, it shall be effective and operative as a traffic-control item duly established for the purpose under this Code.

(b) Any traffic-control or item which substantially conforms to the requirements of this Section with respect to dimensions, shape, color, position, direction, angle or any other features of traffic-control signs or items of any kind shall be deemed to be traffic-control sign or item of that kind.

SECTION 27. Use of Sirens, Dazzling Lights, Similar Gadgets - No private person shall use or cause to be used sirens, bells, horns, whistles or similar gadgets that emit exceptionally loud or startling sounds, including dome lights and emergency red flashing lights installed in either front or rear, and emergency red light blinkers and other similar signaling or flashing devices that actually impede and confuse traffic and which are inconsistent with sound traffic discipline and control on the roads.

ARTICLE VI
GENERAL DRIVING RULES

SECTION 28. Keeping as Far Right as Practicable. - Unless otherwise provided for in this Code, a driver shall keep his vehicle so close as practicable to the right boundary of the thoroughfare except where there are two or more lanes marked on the thoroughfare available exclusively for traffic in the direction in which he is traveling.

SECTION 29. Overtaking:
When overtaking a moving vehicle, a driver shall pass to the left of that vehicle and shall not drive in front of it until his vehicle is safely clear; Provided, That, where a thoroughfare has two or more marked lanes, vehicles traveling in one of those lanes may overtake and pass to the right of a vehicle traveling in another of those lanes, if traffic conditions permit him to do so with safety.

A driver overtaking a vehicle making or apparently about to make a left turn shall pass to the right of it.

When overtaking a vehicle on a two-way thoroughfare:

(i) If the thoroughfare is not divided into three lanes, a driver shall not drive to the left of the center of the thoroughfare, unless the left side of the thoroughfare is free of oncoming traffic far enough ahead to permit the overtaking movement to be completed in safety.

(ii) If the thoroughfare is divided into three lanes, a driver shall not drive in the center lane unless that lane is free of oncoming traffic far enough ahead to permit the overtaking movement to be completed in safety.

SECTION 30. Passing Vehicle. - A driver passing a vehicle traveling in the opposite direction shall keep to his right relative to that vehicle.

SECTION 31. Giving Way to Overtaking Vehicles. - Except where overtaking on the right is permitted, the driver of a vehicle being overtaken shall not increase the speed of his vehicle until it has been completely passed by the overtaking vehicle, and shall yield in favor of the overtaking vehicle upon the driver of the overtaking vehicle sounding and/or signaling a warning instrument.

SECTION 32. Drivers Not to Obstruct Traffic. - A person shall not, without proper cause, drive a vehicle abnormally slow or in such other manner as to obstruct, hinder, or prevent the free passage of any person or vehicle. In a thoroughfare with two or more lanes in the same direction, lane hugging or occupancy of more than one lane for a length of time not called by traffic conditions shall be considered as an obstruction.

SECTION 33. Driving in Lanes on Thoroughfare:

(a) A driver shall drive his vehicle as nearly as practicable entirely within single marked lane or a single line of traffic and shall not move literally from such lane or line of traffic until he can do so safely.

(b) A driver traveling along a marked lane any boundary of which is a single unbroken line shall not permit any part of his vehicle to cross that line, except when safety demands otherwise.

SECTION 34. Driving Through Roundabouts or Rotundas. - A driver passing through a traffic roundabout shall drive to the right of the central traffic island.

SECTION 35. Keeping Right of Double Yellow Lines. - Where a thoroughfare is marked with a double yellow longitudinal line comprising of yellow continuous lines; or a yellow continuous line on the right of a white broken line; a driver shall not permit any portion of his vehicle to travel on or over or to the left of the double yellow longitudinal line.
SECTION 36. Driving in Bicycle Lanes – Motor vehicles are prohibited from being driven or parked or any lane of a public street or path reserved exclusively for bicycles and provided with a sign bearing a symbol of bicycle.

SECTION 37. Driving in Reserved Lanes – In order to encourage efficiency in the use of road space, specific lanes of a major thoroughfare may be reserved for certain types of vehicles such as public utility buses, jeepneys and other high occupancy vehicles. Vehicles not otherwise mentioned in the signs posted therein are prohibited, at times and days indicated, from being driven in those reserved lanes.

SECTION 38. Driving Over a Yellow Box – A portion of an intersection marked with a yellow box must always remain unobstructed and open for passage. A driver must not enter a yellow box if his exist road or lane from it is not clear, or if he cannot cross and go beyond the boundaries of the box in time before the traffic signal turns to red.

ARTICLE VII

RIGHT OF WAY

SECTION 39. Giving Way at Intersection:

(a) A driver approaching or passing through an intersection shall exercise special care and where appropriate shall drive at a reduced speed.

(b) Except as provided in paragraph (c) of this Section, the driver of a vehicle which is approaching an intersection from one thoroughfare shall give way to any vehicle which has entered the intersection except that where the two vehicles have entered at the same time, the driver which has the other vehicle on his right shall give way.

(c) (i) Where traffic-control signals are erected at or near an intersection, paragraph (b) above shall not apply to a driver proceeding in accordance with the instruction of any such signal.

(ii) Paragraph (b) above shall not apply to the driver of a vehicle having another vehicle on his right at an intersecting thoroughfare where that other vehicle is facing or passed a “Give Way” or “Stop” sign.

SECTION 40. Giving Way During Turns:

(a) Subject to the provisions of Article IV, Section 2 and Article VII, Section 6, a driver who intends to turn, is turning or has turned to the left at an intersection, shall give way to any vehicle which has entered or is approaching the intersection from the opposite direction.

(b) A driver turning to the right or left at an intersection shall give way to all pedestrians.

(c) A driver making a U-turn shall give way to all other vehicles and to all pedestrians.

(d) Except as otherwise provided in this Section, the provision of Section 1 of this Article shall apply to turning vehicles.
SECTION 41. Giving Way To or From Parked Vehicles-
(a) A driver who is about to drive or is driving a vehicle into or out from a parking area or the boundary of a thoroughfare shall give way to all other vehicles.
(b) A driver shall not move in reverse out of a parking area and cross the center of a thoroughfare, unless traffic conditions permit him to do.

SECTION 42. Giving Way to Emergency Vehicles - A driver shall give way and make reasonable effort to give clear and uninterrupted passage to every emergency vehicle sounding a siren, bell or repeater horn, or using other signals to indicate an emergency.

SECTION 43. Entering or Leaving a Road:
(a) A driver entering an abutting road shall
   (i) except when proceeding pursuant to an instruction of a traffic control signal, a traffic policeman, a traffic aide or duly authorized traffic enforcers, give way to all vehicles traveling in either direction along the road;
   (ii) Give way to all pedestrians on the road;
(b) A driver leaving a road to enter land abutting shall give way to all vehicles traveling in the opposite direction and to all pedestrians on the road.

SECTION 44. Roundabouts or Rotundas:
(a) In a roundabout or rotunda, the first vehicle to enter takes precedence over a vehicle approaching or about to enter. Hence, the driver of a vehicle entering a roundabout shall give way to any vehicle on this immediate left unless otherwise indicated.
(b) Within the rotunda, the driver must give way to vehicles intending to leave the nearest exit point.

ARTICLE VIII
SPEED RESTRICTION

SECTION 45. Speed Limits.-
(a) No person shall operate, run or drive a vehicle on any street in this city, at rate of speed greater than that permitted by law.
(b) No person shall drive any vehicle on any street of the City of Cagayan de Oro recklessly or without, reasonable caution considering the width, traffic, grades, crossing, curvatures, visibility and other atmosphere and weather or so as to endanger the property or the safety or right-of-way of any or so to cause excessive or unreasonable damage to the streets.
Subject to the provisions of the preceding paragraph, the rates of speed of vehicles shall under no circumstances exceed the respective values given in the following:

<table>
<thead>
<tr>
<th>Place</th>
<th>Passenger car and motorcycles Kilometer Per Hour</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. On all streets within the poblacion</td>
<td>30</td>
</tr>
<tr>
<td>2. From the City Hall to Carmen</td>
<td>30</td>
</tr>
<tr>
<td>3. From Licoan to Macabalan</td>
<td>40</td>
</tr>
<tr>
<td>4. Within the distance of 4 kilometers from Licoan on the Bugo road</td>
<td>30</td>
</tr>
<tr>
<td>5. On “Through Street” or main streets enumerated under this order or boulevards, clear of traffic, with no “blind corners” when so designated.</td>
<td>50</td>
</tr>
<tr>
<td>6. On City streets with light traffic when not designated “Thru Streets”.</td>
<td>30</td>
</tr>
<tr>
<td>7. Through crowded streets approaching intersection at blind “corners” passing other vehicles which are stationary, or for similar dangerous circumstances.</td>
<td>20</td>
</tr>
<tr>
<td>8. Upon approaching a pedestrian lane.</td>
<td>20</td>
</tr>
<tr>
<td>9. School zone (50 meters from the designated pedestrian lane/s)</td>
<td>20 (within Poblacion) 30 (along Highway)</td>
</tr>
</tbody>
</table>

The rates of speed hereinabove prescribed shall not apply to the following:

a. A Physician or his driver when the former responds to emergency calls.

b. The driver of a hospital 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 while in use for official purposes in times of riot, insurrection or invasion.

e. The driver of a vehicle, when he or his passengers are in pursuit of a criminal.

f. A law-enforcement officer who is trying to overtake a violator of traffic laws.

g. The driver officially operating a motor vehicle of the fire department; Provided, That exemption shall not be construed to allow useless or unnecessary fast driving of drivers aforementioned.

(i) For animal-drawn vehicles; on boulevards, “through streets” and on those with very little traffic, 12 kilometers per hour, on narrow or crowded streets, bridges, street intersection or crossing, eight kilometers per hour.
(ii) For bicycles and other slow-moving vehicles, the maximum rates of speed shall be fifteen kilometers per hour on boulevards, "through streets" and on those with very little traffic, twelve kilometers per hour on narrow or crowded streets, bridges, street intersection or crossing.

(d) Drivers of vehicles over-taking any street car stopped for the purpose of receiving and discharging passengers shall stop the vehicles to the rear of the nearest running board or door of such street car and keep it stationary until such passenger have boarded or alighted from such car, or reached a place of safety. Where safety zones are established a vehicle need not be stopped before passing any such street car, but may proceed to pass such car at a speed not greater than is reasonable and proper with due caution for the safety of the pedestrians. These provisions shall not apply to passing upon the right of any street car.

SECTION 46. Drag Racing/Speed Contest. - No person shall utilize any public or private street upon which the City has been authorized to impose traffic regulations, as racing ground or for drag racing/speed contests or exhibition of speed, whether for animals, bicycles, motorcycles, or all kinds/types of vehicles without first obtaining a permit from the Office of the City Mayor.

ARTICLE IX

ONE WAY STREETS

SECTION 47. Designation of One Way Streets.

(a) Vehicular traffic on any street or highway or portion thereof, maybe designated by the head of the Roads and Traffic Administration as one-way street upon Sangguniang Panlungsod approval. If no action is taken by the Sanggunian within three (3) months after referral, the same shall be deemed approved and included in the List of One-Way Streets shown in Appendix I.

(b) The Roads and Traffic Administration is hereby authorized to expand, reduce, amend, or modify Appendix I with the concurrence of the City Mayor and provided that any change shall be referred to the Sanggunian Panlungsod immediately. If no action is taken thereon within three months after referral, the same shall be deemed approved as part of this Ordinance.

SECTION 48. Operating Rules. - The driver shall drive along a one-way thoroughfare only in the direction indicated by the arrow on the sign.

ARTICLE X

THROUGH STREETS

SECTION 49. Designation of Through Streets and Stop Streets.

(a) Priority order of main streets which shall indicate the Thru Streets and the Stop Streets located in the City maybe designated by the head of the Roads and Traffic Administration upon approval of the City Council. If no action is taken by the Sanggunian within three (3) months after referral, the same shall be deemed approved and included in the List of Through Streets and Stop Streets shown in Appendix I-A.

(b) The Roads and Traffic Administration is hereby authorized to expand, reduce, amend, or modify Appendix I-A with the concurrence of the City Mayor and provided that any change shall be
referred to the City Council (Sanggunian Panlungsod) immediately. If no action is taken thereon within three months after referral, the same shall be deemed approved as part of this Ordinance.

ARTICLE XI

TURNING, REVERSING, PARKING AND STOPPING

SECTION 5050. Right Turns. - A driver who is about to make a right turn at an intersection shall so drive his vehicles that when it reaches the intersection it shall be to the right of any vehicle abreast of his vehicle and traveling in the same direction, or at the rightmost lane of the thoroughfare, provided that this Section shall not apply to a driver whose vehicle is in a marked lane allocated exclusively to right-turning vehicles.

SECTION 5151. Left Turns – The streets listed under Appendix II are hereby designated as No Left Turns. The Roads and Traffic Administration is hereby authorized to expand, reduce, amend or modify from time to time the list as he sees fit, provided, the RTA furnish a copy to the Sangguniang Panlungsod within one (1) month of any change or revision. The revised list shall be deemed final if not acted by the Sanggunian within three (3) months from receipt thereof.

(a) A driver who is about to make a left turn at an intersection shall:

(i) Where he is traveling on a two way thoroughfare approach and enter the intersection so that his vehicle is to the center of the thoroughfare; or

(ii) Where he is traveling on a one-way thoroughfare approach and enters the intersection so that his vehicle is parallel to and as near as practicable to the left boundary or leftmost lane, of the thoroughfare.

However, this sub-section shall not apply if his vehicle is in a marked lane which has a sign alongside or over it or markings on its surface indicating that a left turn must or may be made;

(b) Notwithstanding the foregoing provisions of this Section, a bicyclist who is about to make or is making a left turn at an intersection may make the left turn so that:

(i) He approaches such intersection parallel to and as near as practicable to the right boundary of the thoroughfare;

(ii) Enters the intersection and proceeds in a straight line until his bicycle is as near as practicable to the prolongation of the right boundary of the thoroughfare he is about to enter; and

(iii) Turns his bicycle to the left and after giving way to vehicles on his left and right leaves the intersection in accordance with the provisions of this Section, but when any traffic control signal is operating at the intersection, a bicyclist shall wait before turning and shall not proceed to leave the intersection until the traffic control signal is displaying a green light indicating the appropriate direction of his intended movement.

SECTION 5252. Turn and Stop Signals:
(a) A driver shall not turn right or left or diverges right or left or stop or suddenly decrease speed or make a U-Turn without giving a signal as prescribed in this Section.

(b) A driver who is about to turn right or left, diverge right or left, stop, suddenly decrease speed or make U-turn shall signal his intent of doing so for such time as is necessary to give reasonable warning to drivers approaching from behind.

(c) For purposes of and without limiting the generality of paragraph (b) above, a signal shall be deemed to give reasonable warning if given continuously:

(i) while a vehicle is traveling 30 meters immediately before it commences to turn and during any period when it is stationary before it comes to turn;

(ii) while a vehicle is traveling 30 meters immediately before it commences to diverge right or left;

(iii) while the brakes of the vehicle are applied before it stops or while it is slowing down;

(d) Any signal required by this Section shall be given

(i) in the case of a signal of intention to stop or reduce speed suddenly, by means to stop lamp or red lamps; or

(ii) in the case of a signal of intention to turn right or left, diverge right or left to make U-turn, by means of a flashing orange lamp signaling device.

Such signaling device or stop lamp shall comply with the specifications for that device or stop lamp prescribed by the Land Transportation Office (LTO).

SECTION 5353. Use of Signaling Devices – A driver shall not permit a signaling device on his vehicle to remain in operation after the completion of the turn or divergence in respect of which the device was put into operation.

SECTION 5454. U-Turns – The streets listed under Appendix III are hereby designated as No U-Turns. The Roads and Traffic Administration is hereby authorized to expand, reduce, amend or modify from time to time the list as it sees fit, provided, the RTA furnish a copy to the Sangguniang Panlungsod within one (1) month of any change or revised. The revised list shall be deemed final if not acted by the sanggunian within three (3) months from receipt thereof.

A driver shall not cause his vehicle to make a U-turn -

(a) where there is a probability of colliding with another vehicle or interfering with the free movement of traffic; or

(b) on any intersection at which a traffic control sign or signal prohibits a U-turn.

(c) Leave a vehicle waiting in a “No Stopping Area”, for any purpose;

(d) leave a vehicle waiting in a Parking Area contrary to any limitation in respect of days, period of the day, classes of vehicles indicated by the inscription on the sign or signs associated with the
area. However, a person may park a vehicle in a "No Parking Area" or leave a vehicle waiting in a "No Waiting Area or "No Stopping Area" under any of the following conditions:

(i) during anytime that the restriction is suspended by reason of the inscription on the sign or signs associated with the area; or
(ii) if the inscription on the sign or signs associated with the area exempts his vehicle from the restriction imposed within the area.

SECTION 5555. Prohibited Parking, Waiting, Loading or Unloading - All streets listed under Appendix IV are hereby designated as No Parking, No Waiting, No Loading and Unloading. The Roads and Traffic Administration is hereby authorized to expand, reduce, amend or modify from time to time the list as it sees fit; Provided, the RTA furnish a copy to the Sangguniang Panlungsod within one (1) month of any change or revision thereof. The revised list shall be deemed final if not acted by the Sanggunian within three (3) months from receipt thereof.

No person shall park or leave a vehicle waiting so that any portion of the vehicle is:

(a) between any other waiting vehicle and the center of the thoroughfare;
(b) between the pedestrian zone and the nearest curb;
(c) within six (6) meters of intersecting curb lines
(d) in front of a right-of-way, passage or private driveway;
(e) in front of a footway constructed across a reservation;
(f) alongside or opposite any excavation if the vehicle would obstruct traffic;
(g) on any footway, marked crosswalk or pedestrian crossing;
(h) upon a bridge or other elevated structure or within a tunnel or underpass;
(i) upon an intersection;
(j) on any portion of a thoroughfare on which the words "Keep Clear";
(k) Within four (4) meters of the driveway entrance to a fire station;
(l) within one meter of any fire hydrant or fire plug or any sign or mark indicating the existence of a fire hydrant or fire plug;
(m) within three meters of a letter pillar or letter box unless the vehicle is being used for the purpose of collecting postal articles from the pillar or box;
(n) on a reservation;
(o) on a bicycle lane;
(p) upon a Bus and PUJ Lane, except that a public utility vehicle may remain waiting while persons are actually entering or alighting from vehicle.
(q) Upon a parking slot/space specifically marked/designated as "For Disabled Parking Only" as mandated by R.A. 7277, otherwise known as the "Magna Carta for Disabled Persons".
(r) On a crosswalk
(s) In the travel lane of a highway

SECTION 5556. Method of Parking Vehicles - Any driver who parks or leaves a vehicle waiting on a thoroughfare shall park or leave the vehicle waiting:

(a) in the case of a road on which vehicles are permitted to travel in both direction, as near as practicable to the right boundary of the thoroughfare;
(b) in the case of a road on which vehicles are permitted to travel in one direction only, as near as practicable to left boundary of the road and parallel to the boundary of the thoroughfare;
(c) so that not less than 3 meters of the width of the thoroughfare between the vehicle and the far boundary of the thoroughfare is available for the movement of other vehicles;
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CITY OF CAGAYAN DE ORO
OFFICE OF THE CITY COUNCIL
(08822) 724854; (088) 857-4029; 857-4035; 857-3258

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(d) in a manner that it does not cause undue obstruction on the thoroughfare; and
(e) where parking bays are marked on the thoroughfare, entirely within the confines of a single bay;

Provided that paragraphs (a) and (b) of this Section shall not apply to a person leaving a vehicle waiting in a Parking Area.

SECTION 57: Parking Near Grade or Curve – No person shall park or leave a vehicle waiting on or near a crest or curve so that any portion of it is upon a thoroughfare unless a driver approaching from the rear would have a clear view of the vehicles for a distance of at least 45 meters.

SECTION 58: Parking on Parade Routes and on Any Special Occasion – The Roads and Traffic Administration is hereby authorized, whenever it deems it necessary, to prohibit or restrict the parking of any vehicle on either or both sides of any street or portion thereof, constituting a part of the route of a parade or procession, or on any special occasion, and also upon any street adjacent thereto by the erection or placement of temporary signs setting forth such restrictions. When such signs are erected or placed prior to the parade, procession or special occasion, it shall be unlawful to park or leave unattended any vehicle in violation of such signs at the owner’s expense. A traffic enforcer assigned in the area is hereby authorized to remove, or cause to be removed, any vehicle left unattended or parked in violation of such signs at the owner’s expense.

SECTION 59: Parking for Certain Purposes Prohibited. - No person shall park a vehicle upon any roadway for the principal purpose of:

(a) displaying such vehicle for sale;
(b) washing, greasing or repairing such vehicle except repairs necessitated by an emergency.

SECTION 60: Parking Near Fire Hydrants Prohibited. - No driver of any vehicle shall park his vehicle within five (5) meters from fire hydrants.

SECTION 61: Parking in front of Residential or Commercial Establishment - No person shall appropriate for his exclusive use a parking space allotted in front of a residential or commercial establishment unless it is privately owned, otherwise he/she shall pay the prescribed parking fee under this Ordinance.

Installation of signage or markings indicating reservation of its use is hereby prohibited.

SECTION 62: Loading/Unloading Zones – A driver of a truck may park his vehicle in a “Loading Zone” when actually taking up or setting down goods, provided he is present at all times and attending to the same. A driver of public utility vehicles shall stop, pick up or unload passengers only at designated loading zones. On sections of the road where there is no prohibition against loading and unloading, he may stop to take up or set down passengers provided it is 50 meters away from a signalized intersection.

SECTION 63: Officers Authorized to Remove Illegally Stopped Vehicles.

Whenever any traffic enforcer finds a vehicle standing upon a road in violation of any of the foregoing provisions, such enforcer is hereby authorized to move such vehicle, or require the driver, or other person in charge of the vehicle to move the same, to a position off the paved or main traveled part of such road.
Whenever any traffic enforcer finds a vehicle unattended upon any bridge or causeway where such vehicle constitute an obstruction to traffic, such officer is hereby authorized to provide for the removal of such vehicle to the nearest garage or other place of safety.

The expense incurred in the removal of such vehicle shall be charged to the owner of the vehicle.

SECTION 64. Authority to Dispose of Unclaimed Vehicles – The Head of Cagayan de Oro Roads and Traffic Administration is hereby authorized to recommend to the City Mayor the disposal of a vehicle that has been taken into custody. Such disposition shall be at public auction under such procedure, as the City Mayor shall establish with the approval of the Sangguniang Panlungsod. Written notice of such auction shall be sent to the last known registered owner by certified mail at least 10 days prior to the date of auction and said auction shall be held not earlier than 60 days after the date such vehicle shall have been taken into custody. Any person entitled to 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 as determined by said officer or his authorized subordinates.

ARTICLE XII
PAY PARKING ZONES AND FACILITIES

SECTION 655. Designation of Pay Parking Zones –

(a) The Roads and Traffic Administration is hereby authorized and directed to establish, mark and designate portions of a thoroughfare as pay parking zones;

(b) The streets listed under Appendix V are hereby designated as pay parking zones. The Roads and Traffic Administration is hereby authorized to expand, reduce, amend or modify from time to time the list as it sees fit, provided the RTA furnish a copy to the Sangguniang Panlungsod within one month of any change or revision. The revised list shall be deemed final if not acted by the Sangguniang within three (3) months from receipt thereof.

SECTION 656. Off-Street Parking Facilities and Transport Terminals:

(a) Off-street parking facilities and public transport terminals may be constructed, operated and maintained by the City, or by private entities, subject to an authorization by the Sangguniang Panlungsod upon the recommendation of the Roads and Traffic Administration and approval of the Mayor.

(b) If so required by the traffic impact analysis, the Roads and Traffic Administration may also require major commercial developments to incorporate off-street parking facilities into their building plans, before a Building Permit is issued therefor.

SECTION 656. Pay Parking Charges and Signs – Appropriate signs, indicating the parking charges, the time that such facility is open for business, shall be installed at each public parking facility.

Parking fees shall be collected during the regulated period at rates shown in Appendix VI. The rates shall be updated from time to time by the Roads and Traffic Administration subject to approval of the Sangguniang Panlungsod.
SECTION 68. Overnight Parking - Overnight parking on local roads not designated as pay parking zones may be determined by the Roads and Traffic Administration in consultation with the Barangay Council subject to the approval of the RTA and concurrence of the Sangguniang Panlungsod. Those local roads that may be designated, shall be limited to residential areas, and shall as much as practicable be on a one-side parking basis and in no case shall prevent egress or passage. No alley or road less than three (3) meters in width shall be designated as overnight-parking zones.

SECTION 69. Enforcement of Overnight Parking - The enforcement of overnight parking shall be undertaken by the Roads and Traffic Administration upon compliance with the following:

(a) It shall be unlawful for any motor vehicle owner or operator to use portions of any street, sidewalk or public place as a private garage or parking space, as extension of his private terminal; Provided, however, that homeowners with motor vehicles may be allowed to park said vehicles at night on the streets designated as overnight parking zones upon payment of the required fees, if said streets are not main thoroughfares and/or are not designated as official routes of public utility vehicles. Homeowners who would avail themselves of this parking privilege shall be issued a sticker signed by the City Mayor or his authorized representative to be displayed conspicuously at the windshield of his vehicle to signify the grant of said parking privilege under this provision.

(b) Overnight parking shall be limited to the hours of 10:00 p.m. to 5:00 a.m. the following day.

(c) No cargo trucks or tractor trailers of eight wheels and up shall be allowed to avail of overnight parking in any streets of the City except by reason of emergency repair or which should be accomplished as expeditiously as possible. Cargo trucks found parking during these hours in any City street shall be towed to the vehicle impounding area, and the driver required to pay the corresponding fines.

SECTION 70. Violations in Parking Areas. - Within any pay parking facility, it shall be unlawful for any person:

(a) to refuse or fail to pay the parking charges;
(b) to park any vehicle across any line or marking of a parking space or in such position that the vehicle shall not entirely be within the area designated by such lines or markings;
(c) to tamper or damage any vehicle, other than his own, parked in the same parking facility;
(d) to park any vehicle for the purpose of washing, cleaning, greasing or repairing such vehicle except repairs necessitated by an emergency or a designated area in the parking facility;
(e) to display for sale or to sell goods or merchandise;
(f) to disregard any official direction, instruction or restriction posted therein.

SECTION 71. Parking Attendants - (a) The Roads and Traffic Administration is hereby authorized to deputize barangay officials and private entities including civic clubs and associations as parking attendants or aides.

(b) The RTA in its deputation order shall state the area to be managed by the parking attendants and prescribed other terms and regulations to preclude any abuse by deputized parking aides.
(b) Parking attendants shall help ensure that everyone follows parking regulations and roads are unobstructed and parking spaces are continually available.

ARTICLE XIII
LIGHTING, WARNING SIGNS, EQUIPMENT, ETC.

SECTION 7274. Lights on Moving Motor Vehicles. – No person shall drive a motor vehicle or a combination of a motor vehicle and trailer between sunset and sunrise, unless the motor vehicle or combination is equipped with appropriate lamps and reflectors prescribed as mandatory by the LTO to be carried by that vehicle or combination, and the lamps are lighted.

SECTION 7275. Dimming of Head Lights. -

(a) The driver of a motor vehicle shall dim the headlights or tilt the beam downward whenever the vehicle is approached by any other vehicle traveling in the opposite direction:

(i) when the other vehicle reaches a point 200 meters from his motor vehicle; or

(ii) immediately when the light projected by every headlight of the other vehicle is switched to low beam and shall cause every headlight of his vehicle to remain on low beam until the other vehicle has passed.

(b) No person shall drive a motor vehicle without the required headlights that capable of being operated on low beam.

SECTION 7276. Lights on Stationary Motor Vehicles. –

(a) Subject to the provisions of Article XII, Section 9, no person shall leave a motor vehicle waiting on a road with a lamp of a power exceeding seven watts lighted and showing to the front, except while the vehicle is loading or unloading passengers or is compelled to remain stationary by the exigencies of traffic.

(b) No person shall leave a motor vehicle or a trailer waiting on or partly on any thoroughfare between sunset and sunrise unless that motor vehicle or trailer is equipped with:

(i) two lamps (one on each side) showing a clear white light to the front and clearly visible under normal atmospheric conditions at a distance 180 meters, or where the motor vehicle or trailer is waiting on or adjacent to the boundary of the thoroughfare, one such lamp shall be on the side of the motor vehicle or trailer near to the center of the thoroughfare;

(ii) appropriate rear lamps, number-plate lamps, front and rear clearance lamps and reflectors prescribed as mandatory by the LTO and the lamps so affixed are lighted.

(c) Paragraph (b) of this Section shall not apply

(a) where the street lighting in the vicinity renders the motor vehicle or the trailer clearly visible at a distance of 180 meters; or
to any motorcycle not connected to a sidecar, trailer left waiting parallel to and as near as practicable to the boundary of the thoroughfare.

SECTION 2375. Portable Warning Signs for Disabled Vehicles. –

(a) No person shall drive a vehicle on a road, or permit a vehicle to be driven, unless that vehicle carries a portable early warning device complying with the specifications prescribed by the LTO.

(b) Whenever a disabled vehicle is stationary on a thoroughfare, the portable early warning devices shall be placed one to the rear of the vehicle and one to the front side nearer to the center of the thoroughfare at a distance prescribed by the LTO to give reasonable warning to approaching drivers.

(c) Nothing in this Section shall affect any duty imposed by this Code to display lighted lamps on stationary vehicles.

(d) The driver of any vehicle that suddenly comes to a stop on any City street by reason of some mechanical defect must remove the same within thirty (30) minutes from the time such vehicle ceased to run, to prevent traffic hazard.

SECTION 7656. Lights and Other Equipment on Bicycles:

(a) No person shall ride or propel a bicycle between sunset and sunrise, unless it is equipped with:

(i) an efficient brake; and
(ii) an efficient bell or some other suitable warning device.
(iii) a red reflector on its rear; and
(iv) a rear mudguard, the rear half of which is colored white.

Such lamps and reflectors shall be of the types and affixed in the positions prescribed by the proper authority and shall be kept clean at all times.

(c) No person shall ride a bicycle unless it is equipped with

(i) an efficient brake; and
(ii) an efficient bell or some other suitable warning device.

SECTION 2277. Lights on Animal-Drawn Vehicles:

(a) No person shall drive or permit any animal-drawn vehicle or any trailer attached to it to be in any thoroughfare between sunset and sunrise, unless the vehicle or the trailer is equipped with appropriate front and rear lamps, clearance lamps and reflectors, as prescribed by proper authority and the lamps are lighted.

(b) All reflectors and lights prescribed under this section shall be kept clean and shall not be obscured by any part of the vehicle or its load.
SECTION 78. Lights on Towed Vehicles. – No person shall between sunset and sunrise drive a
motor vehicle which is towing another vehicle unless a lighted lamp is attached to the portion of
the towed vehicle facing any following vehicle with a power not exceeding seven watts showing a clear red
light visible under normal atmosphere conditions at a distance of 100 meters which lamp is so placed
that:

(a) its center is not more than 1 meter above the ground; and

(b) it is in the center or to the left side of the center of that portion of the towed vehicle which faces
any following vehicle.

SECTION 79. Flashing Warning Lights:

(a) No persons shall drive or leave waiting a vehicle on which is mounted a
lamp displaying intermittent flashes, except

(i) a lamp displaying intermittent red and/or blue flashes on top of an emergency vehicle;

(ii) a lamp displaying intermittent amber flashes on top of:

(a) a tow truck or motor breakdown service vehicle at the scene of an accident or
breakdown; or

(b) a vehicle being used by a government, public or local authority in connection with its
functions and occupying a hazardous position on the thoroughfare.

(b) A motor vehicle moving or stationary in a hazardous position on a
thoroughfare because of an emergency situation, shall display such flashes from both sides of the front and rear of the vehicle by means of a flashing
lamp signaling devices or Early Warning Device (EWD); provided, that
display of such flashes and the operation of the EWD are in accordance
with the specifications of the LTO.

SECTION 80. Spot Lamps:

(a) No person shall cause or permit any spot lamp or search lamp offered or connected to any vehicle
to be lighted unless

(i) the vehicle is stationary and the lamp is used only for the purpose of reading a
road sign;

(ii) the vehicle is outside a built-up area and the lamp is lighted and use only for the purpose of
reading a road sign.

(b) the provisions of paragraph (a) of this Section shall not apply if the vehicle is an emergency
vehicle which is being used by law enforcement agencies in the performance of their official
function.

SECTION 81. Mufflers and Noise Controlling Devices. – No person shall operate a motor
vehicle on a street unless such motor vehicle is equipped, at all times, with a muffler or mufflers in
constant operation and of sufficient capacity for the motor, and equipped with an exhaust system to prevent the escape of excessive fumes or smoke and unusual noise.

Owners or operators of motor vehicles within the territorial jurisdiction of the City shall at all times ensure that their vehicle comply with the exhaust emission standards set forth in RA No. 8749, otherwise known as the "Philippine Clean Air Act of 1999" and its implementing rules and regulations.

SECTION 82. Windshields to be Unobstructed and Equipped with Wipers.—

(a) No person shall drive any motor vehicle with any sign, poster, or other non-transparent material upon the front windshield of such vehicle, which obstructs the driver's clear view of the highway.

(b) Posters or strikers approved by the proper authority shall be placed at the lower right hand corner of the front windshield.

(c) No person shall drive any motor vehicle with any non-transparent material or object suspended within the windshield area as viewed from the driver's seat not shall any person drive any motor vehicle upon the hood of which is attached to any fixture ornament of any material which vibrates, or swings within view of the driver of said vehicle.

(d) The windshield on every motor vehicle shall be equipped with a wiper for cleaning rain or other moisture from the windshield and shall be maintained in good working order.

SECTION 83. Tinted Glass Prohibition.—It shall be unlawful for any operator/owner or driver of taxi, PU and public utility jeepney and bus as well as of private, government and public utility car, pick-up, van, truck and all other vehicles to operate his vehicle with tinted front side glass windows and windshield within city limits.

This prohibition shall likewise apply to the aforesaid vehicles, which are just passing by the City.

SECTION 84. Mudguard Regulations.—It shall be unlawful for any operator, owner or driver of any type or kind of motor vehicle operating in Cagayan de Oro City with mudguard not in accordance with the prescribed size of the manufacturer's standard. Any improvised mudguards shall follow the following sizes:

(a) The horizontal allowance of mudguard from the tire shall not be more than two (2) inches, measured from the edge of the tire. In case of a double-tire, the said allowance shall be measured from the outer tire thereof.

(b) The vertical clearance of the mudguard from the vehicle to the road surface shall not be less than six (6) inches when loaded.

SECTION 85. Horn Regulation.—Every motor vehicle especially public utility buses and jeepsneys, Motorelas and Trisikads plying within the City of Cagayan de Oro shall be provided with an appropriate horn or signaling device in good working order; Provided, That no horn or signaling device emitting an undesirable sounds shall be installed or used such as:

a) Exceptionally loud sound

b) Startling sound (shocking and upsetting)

c) Disagreeable sound (laughing voice, animal voice and trumpet horn)
SECTION 86. Car Stereo Regulations.—It shall be unlawful for drivers of public utility bus, jeepney, motorela or trisikad to play their car stereos loudly or beyond tolerable level as to be noisy, earsplitting, deafening or cause disturbance and nuisance.

The installation and use of car stereos or similar devices inside public utility buses and jeepsneys, motorelas and trisikads shall only be allowed under the following conditions:

1. That only two (2) speakers with the maximum wattage of 20 watts for each speaker shall be used;
2. That there shall be no tweeter, booster or amplifier accessories installed;
3. That the volume control thereof shall be placed near the passengers, preferably near the dome light, in order that the volume control can be easily accessible to them;
4. That no cassette tapes or compact discs shall be stockpiled on the dashboard as to distract the driver and the view of passengers;
5. That the installation of the stereo and speakers shall be under the supervision of the Roads and Traffic Administration;
6. That a Certificate shall be issued by the RTA that said installation of the stereo and speakers have passed inspection and conditions set by this Ordinance. The said certificate shall be carried at all times in the motor vehicle, Motoeresa or trisikad where the stereo is installed and shall be presented to RTA enforcers upon request for verification purposes.

SECTION 87. Garbage container requirement.—All drivers and/or operators of public utility vehicles plying the streets of Cagayan de Oro City shall provide disposable garbage containers inside their vehicles where the passengers can throw their solid wastes.

SECTION 88. Painting of Tourist Spots Stickers on Rear Side Doors of Taxicabs:

(a) All owners or operators of taxicabs operating in the City shall be required to paste or attach plastic stickers printed with the name or drawing of any of the tourist spots in the City on both rear side doors of their taxi units.

(b) The aforesaid plastic sticker shall have a dimension of 12 inches x 18 inches.

(c) In order to achieve the best design and aesthetically pleasing tourist spot plastic stickers, the City Tourism Office shall accredit and designate a single supplier thereof. It shall also supervise in making the design and other specifications of the said stickers by the accredited supplier.

(d) There shall be granted a tax rebate to any operator of taxicabs who will comply with the provisions of this Ordinance which shall be equivalent to the cost of the plastic sticker herein required. Such tax rebate shall be granted only once per taxi cab.

(e) No business permit shall be granted to any operator of taxicab in the City who will not comply with the provisions of this Ordinance.

(f) Operators of taxicabs in the City shall be given six (6) months from the effectivity of this Ordinance to comply with the provisions hereof.
ARTICLE XIV
WEIGHT, SIZE AND LOAD

SECTION 8989. Gross Weight, Axle and Wheel Loads. - No motor vehicle or trailer or combination of such vehicles equipped wholly with pneumatic tires, which has a total gross weight, including vehicle and load, in excess of the requirements prescribed as mandatory by the LTO, shall be operated or moved upon any public road, street or highway.

SECTION 8990. Projecting Loads on Passenger Vehicles. - No passenger type vehicle shall be operated on any road with a load thereon projecting beyond the extreme with of the vehicle, regardless of the nature of the property being transported.

SECTION 8991. Load to be Properly Secured. - No vehicle shall be driven or moved on any road:

(a) unless such vehicle is so constructed or loaded as to prevent any of its load from dropping, shifting, leaking or otherwise escaping there from, except that sand may be dropped for the purpose of traction or water or other substance may be sprinkled on a roadway in cleaning or maintaining the roadway;

(b) with any load consisting partially or entirely of loose paper, empty cartons, crates, or any other material susceptible of being blown or carried by the wind, unless such load is entirely covered by tarpaulin, net, canopy, or other suitable material, effectively preventing any part of such load from being blown or carried by the wind.

SECTION 8992. Weighing of Vehicles and Removal of Excess Loads.

(a) Any Traffic Officer having reason to believe that the weight of a vehicle and load is unlawful is authorized to require the driver to stop and submit to weighing by means of a portable or stationary scales and may require that vehicle be driven to the nearest public scales in the event such scales are within 2 kilometers.

(b) whenever an officer upon weighing a vehicle and load as above provided, determines that the weight is unlawful, the officer may require the driver to stop the vehicle in a suitable place and remain standing until the portion of the load is removed as may be necessary to reduce the gross weight of the vehicle to such limit as permitted. All material so unloaded shall be cared for by the owner of the vehicle at their own risk.

(c) Any driver of vehicle who refuses to stop and submit the vehicle and load to a weighing when directed by an officer shall be guilty of a misdemeanor.

SECTION 8993. Restricting the Use Over Bridges.

(a) No person shall drive or operate any motor vehicle having an aggregate weight of a vehicle and load in excess of the specified allowable weight indicated over any bridge in the City.
(b) No person shall drive any motor vehicle over any wooden bridge at a speed greater than 10 kilometers per hour.

(c) No person shall drive or operate a slow-moving vehicle as defined herein across Ysalina Bridge, Marcos Bridge, Kagay-an Bridge and the Kauswagan-Puntod Bridge from 7:00 AM to 8:00 PM.

SECTION 944. Permit to Move Equipment and/or Load of Excessive Weight, Width or Height.

(a) No vehicle shall be moved, transported, or caused to be moved through the city streets having an equipment and/or load of excessive weight, width or height unless a permit or clearance has been issued by a duly authorized officer of the Roads and Traffic Administration.

(b) All application for permits required under this Section shall be made in writing to the Cagayan de Oro Roads and Traffic Administration of the City and shall contain the following:

(1) Description of the vehicle, equipment and/or load to be moved;

(2) Street location or other identifying description of the place to which the same is to be moved;

(3) Complete designation of the route is to be followed;

(4) Height, width and length of the same;

(5) Time at which the movement of the vehicle will commence and terminate;

(6) The applicant shall have filed with the issuing officer, a certificate of any insurance carrier certifying that there is a comprehensive automobile liability assurance policy covering said applicant and his authorized agents administrators and heirs in case of body injury or death of one or more persons in any accident or damage to or destruction of property.

(c) The head of Roads and Traffic Administration may, in his discretion change and designate and her route to be followed or the time during which the movement shall be made prior to the issuance of a permit.

SECTION 955. Canvass Cover.

All operators, owners and drivers of trucking services are hereby required to provide with canvass cover, made of strong material and quality, and such other safeguards, all their hauling trucks loaded with sand and gravel, other aggregates, and/or cargoes consisting of but not limited to, bags of cement, fertilizers, cassava chips, saw dust, filling materials and other cargoes of similar nature, when entering and using any road or street of Cagayan de Oro City and to make sure that no spillage of their cargoes may happen while their vehicles are in transit.

The Office of the City Administrator and/or City Treasurer shall cause the cancellation and non-renewal of the Business Permit or license of entities engaged in trucking and/or hauling business unless actual inspection and proof of compliance of this Ordinance is presented.

SECTION 956. Transportation of Logs:

Holding Devices. Any person owning and/or operating any open truck or trucks or any other open vehicle or vehicles used in carrying or ferrying logs within the City of Cagayan de Oro shall install or cause to be installed at least two cables or chains, or any similar holding device which shall be strong enough to secure and hold fast and firm the logs to the body of the motor vehicle on which they are.
SECTION 97. Truck Routes and Limited Truck Ban. — Cargo trucks, gravel and sand trucks and other heavy cargo trucks with eight wheels and up, or whose gross vehicle weights exceed 4,500 kilograms, including tractor trailers or containerized haulers, shall not be allowed to travel, enter, load or unload cargoes from 7:00 to 9:00 A.M. and from 5:00 to 7:00 P.M. in the following areas of the city:

(a) POBLACION AND COGON - The area bounded by CM Recto Avenue starting from the Ororama Megacentre up to Abellanosa St. in the North, Burgos St. up to City Hall in the West, Hayes St. in the South, thence to Pres. Roxas St., thence Yacapin Extension, thence Pres. Quirino St., thence Limketkai Drive, and back to origin; and

(b) CARMEN - The area bounded by Agoho Drive in the North, Villarin St. in the West, Masterson Ave. in the South, and Vamenta Blvd. in the East.

(c) PUERTO MARKET - from 6:00 A.M. to 10:00 A.M. and from 3:00 P.M. to 7:00 P.M. daily.

SECTION 98. Exemption. — Notwithstanding the provisions of this Article to the contrary, CM Recto Avenue shall be opened to cargo/delivery truck traffic during the regulated time; Provided, that the said road shall be used only as transit in going to the Eastern side to Butuan City and Western side to Iligan City.

SECTION 99. Trucks within the Prohibited Areas. — Cargo/Delivery Trucks already within the prohibited areas as herein delineated shall, at the time of the regulated period for them not to enter therein, immediately stop and properly park in the closest designated parking space available, or when not applicable, along the shoulder of the road, and shall only be driven therefrom after the expiration of the regulated hours.
ARTICLE XVI
DUTIES AND RESPONSIBILITIES WHILE OPERATING A MOTOR VEHICLE

SECTION 100. License, Motor Vehicle Registration and Other Requirements:

(a) Only persons with license duly issued by the Land Transportation Office (LTO) shall be allowed to drive a vehicle;

(b) License restrictions must correspond to the type of motor vehicle being driven;

(c) Driver's license must, at all times, be with or in actual possession of the licensee while driving or operating a motor vehicle. It must be shown/surrendered to traffic enforcers when demanded;

(d) Only registered motor vehicles with proper registration shall be allowed to ply the Streets; Motor vehicle's body number, engine and color must correspond with the description in the registration paper/certificate of registration (RP/CR) that must be carried in the vehicle, and must be shown and surrendered to traffic enforcers when demanded;

(e) Driving in sleeveless shirt or slippers, or while using mobile phones or similar device shall not be allowed;

SECTION 101. Smoking inside PUVs - It shall be unlawful for any person to smoke cigars or cigarettes inside any public utility vehicle or other vehicle for passenger hire while said vehicle is being operated along the road, street, thoroughfare or highway.

SECTION 102. Use of cellular phones, etc. – It shall be unlawful for drivers of motor vehicles, except members of law enforcement agencies such as police, firemen and ambulance driver wherein their use of communication equipment is inevitable, to use or operate cellular phones, radio transceivers or similar mobile equipment while driving on city streets and highways.

SECTION 103. Production of Driver's License to Traffic Officer. - No person shall drive a motor vehicle on the road unless he or she has a valid driver's license issued by the LTO for that type of vehicle.

(a) Any person who drives a vehicle on road shall carry his driver's license with him at all times.

(b) Any person driving a motor vehicle on a road shall, when requested to do so by a member of the traffic force or any other authorized person, produce his license for inspection and state his true name and address.

(c) In this Section "authorized person" means a person in uniform authorized by or under any Act to require a driver of a motor vehicle on a road to produce his driver's license.

(d) A bona fide tourist or transient who is holding an international license may be permitted to operate a motor vehicle in the city for the period not exceeding the expiry date of said license, or in accordance with international agreements to which the Philippines is a signatory.

(e) A person who knowingly drives a motor vehicle without having secured any appropriate license is guilty of a major offense, and shall be punishable with the highest penalty under this Ordinance.
SECTION 104. Student Driver Permit. - No person possessing a student driver’s permit shall operate a motor vehicle unless accompanied by a duly licensed driver.

The licensed driver acting as instructor to the student driver shall likewise be responsible and liable for any violation of the provisions of this Code and for any injury or damage done by the motor vehicle on account or as a result of its operation by a student driver under his direction.

SECTION 105. Registration of Driving Schools:

(a) All driving schools in the City shall register with the Roads and Traffic Administration (RTA).

(b) Such RTA registration shall be pre-requisite in the issuance of business permit to driving schools.

(c) In addition to existing training course, all driving schools in the City shall be required to conduct “how to be a better driver and defensive driving course” to their student drivers.

(d) No driving schools in the city shall conduct their actual driving lessons during the peak hours of the day.

SECTION 106. Posting or Display of Fake/Unauthorized IDs Stickers, etc.-

(i) Only valid and regularly issued IDs plates, stickers and tags shall be allowed to be displayed or posted on a properly designated part of the motor vehicles.

(ii) Use, posting or display of fake identification cards, plates, stickers, etc. particularly those with reference to law enforcement agencies, including tampered, marked, unauthorized and improvised plates, are strictly prohibited.

(iii) It is also prohibited the improper, inconspicuous and improper display and transfer of plates, and posting of tags and stickers;

SECTION 107. Clearance Required for Change Color or Engine of Motor Vehicles. - Any person who shall undertake to change color or engine of a motor vehicle shall first secure a certificate of clearance from the Philippine National Police; Provided, that no such clearance shall be issued unless the applicant shall present a statement under oath containing the type, make and serial numbers of the engine, chassis and body of the motor vehicle.

SECTION 108. Road Worthiness of Motor Vehicle:

(A) Driver or operator of a motor vehicle shall see to it that his motor vehicle is in good running or road worthy condition equipped with appropriate and functioning safety gadgets, accessions or accessories (equipment) while on the road, e.g. brakes, signal lights, tail lights, head lights, stop lights, wiper, side mirror etc.

(B) Dilapidated motor vehicles, together with right hand drives, are classified as road unworthy or road hazards.
ARTICLE XVII
PUBLIC UTILITY VEHICLE OPERATIONS

SECTION 109. Conditions of Operations:

(a) Operators of public utility vehicles shall not allow another to use their commercial/business name ("Kabit System") nor allow improperly licensed or unlicensed person to drive a PUV;

(b) Operators shall maintain their vehicle in clean or sanitary condition and equipped and painted with the required signs such as for hire, trade name, operator's name and address, etc.

(c) Public utility vehicles, except taxicabs, shall ply their approved routes as stated in their franchise subject to the provisions of this Ordinance. Authorized routes shall be properly painted on the PUV pursuant to LTO regulations. Failure or erroneous/improper painting of authorized route shall create a presumption that PUV is not plying on its authorized route or it is out of line;

(d) When plying, PUV should carry with it the copy of franchise/CPC/PA for presentation to traffic enforcers when demanded for verification;

(e) PUVs shall comply with the color coding, vehicle volume reduction program and similar vehicle volume mitigation programs;

(f) Fare matrix must be conspicuously displayed in the vehicle;

(g) Public transportation shall have designated seats for disabled persons:

(i) Regular buses shall have at least five (5) designated seats for disabled persons near exit/entrance doors;

(ii) First class, premier, and air-conditioned buses shall have at least four (4) designated seats for disabled persons near the door;

(iii) For regular and air-conditioned city buses, other passengers may use these designated seats if not occupied and yield them to incoming disabled persons whenever the occasion arises;

(iv) Jeepneys shall have at least two (2) seats, preferably the front seats designated seats for disabled persons;

(v) For jeepneys, other passengers may use these designated seats if not occupied and yield them to incoming disabled passengers only if the yielding passenger can still be accommodated at the back.

The designated seats shall be identified by symbols and signs.

(h) Drivers of Public Utility Vehicles including tricycles and pedicabs are required to post their identification Card (I.D.) with 2 x 2 picture containing the name of the owner/operator and/or driver and their addresses on the front portion of the windshield of their vehicles.

SECTION 110. Chartered PUVs. - Any public utility vehicle, except taxicabs, which is chartered, contracted or hired on contractual basis shall be required to apply with the Roads and Traffic Administration for an out-of-line operation and pay the corresponding fees therefor.

SECTION 111. Accessories of PUVs:

(a) In addition to existing requirements hereof, PUVs shall be equipped with the following proper accessions/accessories: light on taximeter and on top of taxi unit, clean seat covers, interior lights, etc.
(b) The unauthorized installation/use of jalousies, additional air-con, dim colored lights, dark glass tints, etc. is hereby not allowed.

SECTION 112. PUV Drivers Obligations, Duties and Responsibilities:

(a) Drivers of public utility vehicles, including conductors, and drivers of motorela and tricycles must be duly licensed and in proper uniforms, should not wear slippers and sandos and, at all times, extend courtesy to fellow drivers and passengers;

(b) Shall not give preference, unjustly discriminate or refuse conveyance for reason of religion, color, race or creed, lowly station in life, etc. He is obligated to transport his passengers from point of destination. No trip cutting is allowed;

(c) Shall not allow overloading, overcharging fares nor contract out of line services in violation of the franchise;

(d) Shall not operate taxi without meter or with un-calibrated or tampered taximeter seal, broken sealing wire, etc.

SECTION 113. Prohibited Acts. - Consistent with the national law, the following acts are likewise prohibited and punishable under this Ordinance:

a. Operation of tricycles, jeepneys, buses or mini-buses as colorum vehicles-for-hire in transporting passengers and cargoes in this city;

b. Operation of motor vehicle outside of its assigned or designated zone of operation;

c. Trip-cutting;

d. Over-charging of passenger fare;

e. Refusal to convey passengers; and

SECTION 114. Printing of Plate Number. - All operators of public utility jeepneys (PUJs), taxicab units, motorela, tricycle and trisikad operating in the City shall be required to print or cause to print the plate number in "bold green figures" with a dimension of one square foot and the name of operator thereof inside the passenger side or area of said vehicle, particularly at the back side of the driver’s seat or front seats in the case of PUJ and motorela.

ARTICLE XVIII
PUBLIC TRANSPORT ROUTES

SECTION 115. Routes of Public Utility Buses and Jeepneys.- Public utility buses and jeepneys, including shuttle aircon vans with valid authorizations from the Land Transportation Franchising and Regulatory Board and whose routes terminate or originate within the City shall adhere to their approved routes as provided for under Appendix ____.

Without necessarily modifying their authorized routes, the Roads and Traffic Administration may adjust the turning points and terminal of public utility buses and jeepneys, prescribe their loading or unloading points, and/or require them to utilize passenger interchange terminals, if so required by an approved traffic improvement scheme.
SECTION 116. Route Codes. - (a) For the convenience of the public, there shall be established a corresponding route codes for every PUJ route in the City using the descriptive virtues of a good citizen in support to the Declaration of Cagayan de Oro as a City of Character under Resolution No. 4496-99 and Resolution No. 7676-2006 as provided for under Appendix ______.

(b) The route and route code of PUJs in the City shall be conspicuously painted or printed on both sides of the PUJ body in the manner prescribed by the RTA or the LTFRB.

(c) In case of PUJs whose route traverses any of the tourist spots of the city, the name of the tourist spot shall also be painted or printed on both sides of the body of the PUJ as part of its route.

SECTION 117. Vehicles for Hire with No Fixed Routes. - Public land based transport conveyances with franchises to operate "vehicles for hire" with no specific routes such as Sedan Asian Utility Vehicles (Mega Taxis), Pick-up Van, Station Wagon or Coach with no fixed routes and service in on a contract basis is prohibited to charge fare in excess of what is authorized by the Land Transportation Franchising and Regulatory Board.

SECTION 118. Route and Franchise Approval – (a) No new route and/or new franchise of public utility vehicle shall be issued by any government agency without the approval of the City Council and the City Mayor.

(b) It shall be the duty of the Land Transportation Franchising and Regulatory Board (LTFRB) to furnish the Roads and Traffic Administration with copies of franchise issued by the former to public utility vehicles operating in the City.

SECTION 119. Road Use Capacity Limit – The number of multicabs-for-hire and taxicabs operating in the City shall not exceed the road use capacity of city streets and national highways as determined by the Roads and Traffic Administration or the Land Transportation Franchising and Regulatory Board.

SECTION 120. Routes To and From Westbound and Eastbound Terminals: 

(A) All eastbound and westbound public utility vehicles shall proceed directly to the Westbound Terminal and Public Market at Bulua or the Eastbound Terminal in Barangay Gusa, as the case may, passing along the following routes:

1. Provincial Eastbound Public Utility Vehicles:

   **Inflow** - from point origin pass along the national highway, then left turn towards the access road (Galaxy Road) going to JR Borja Extension in Barangay Gusa, then right turn to Gusa Terminal and proceed directly to designated parking bay thereat.

   In the case of public utility vehicles with provisional authority from the City Mayor to unload student and employee passengers at the City proper, the same shall pass along the national highway, then left turn towards the access road (Galaxy Road) going to JR Borja Extension in Barangay Gusa and then proceed to their designated unloading areas.
Outflow - from the designated parking bay pass along the peripheral road of the Gusa Terminal in a counterclockwise motion, then exit to San Pedro St., then right turn towards National Highway and proceed to destination.

In the case of public utility vehicles with provisional authority from the City Mayor to unload student and employee passengers at the City proper, the same shall proceed from their designated unloading areas, then turn towards JR Borja Ext., left turn towards Gusa Terminal and from the designated pay parking bay thereat pass along the peripheral road of the Gusa Terminal in a counterclockwise motion, then exit to San Pedro St., then right turn towards National Highway and proceed to destination.

Provincial Westbound Public Utility Vehicles:

Inflow - from point of origin pass along the national highway, then left turn to the access road going to the Wesbound Terminal and Public Market in Bulua, and proceed directly to their designated parking bay thereat.

Outflow - from the designated parking bay pass along the peripheral road of the Westbound Terminal and Public Market in a counterclockwise motion, then proceed to access road, right turn to national highway and proceed to destination."

(B) Parking Bay Fee - All eastbound and westbound public utility vehicles shall secure Parking Bay Fee Ticket from the East- and West-Bound Terminals and Public Management Authority upon payment of the fees imposed under Ordinance No. 830-2002, as amended by Ordinance No. 8358-2002.

(C) Checkpoints - For this purpose, there shall be established checkpoints along the national highway in Barangay Bulua for westbound public utility vehicles and at the pedestrian overpass area in Barangay Gusa for eastbound public utility vehicles to inspect for Parking Bay Fee Tickets as required under Section 3 hereof.

(D) Composite Team - There shall be created a composite team of inspectors to implement the provisions of this Section which shall be composed of duly designated personnel of the Roads and Traffic Administration, the Eastbound and Westbound Terminals and Public Market Management Authority, Traffic Section of the Cagayan de Oro City Police Office (COCPO) and Barangay concerned.

ARTICLE XIX
REGULATION ON DISPATCHING

SECTION 121. Dispatcher - A dispatcher is the one who facilitates the orderly loading and unloading of passengers and their cargoes. He shall be provided with a license or permit.
SECTION 122. Qualifications of Dispatcher.- A dispatcher must have the following qualifications:

For Natural Person:

1. He must be at least 18 years of age;
2. He must not suffer from any contagious disease, and for this purpose, all applicants shall be required to attach to his application a Medical Certificate attested to by competent government physicians that he is physically fit to engage in this kind of activity/service.
3. A certificate from the bus, jeepney or other passenger vehicle drivers or operators association that the applicant is or will be allowed to act as a dispatcher in their designated terminals. For this purpose, the Certification may be signed by the President, any person authorized or the particular operator concerned to which the dispatching service may rendered.
4. Residence Certificate for the current year.

For Juridical Person:

No license or permit shall be issued to any firm, group or association unless the following requirements are submitted:

1. A certificate from the Securities and Exchange Commission (SEC) that the said association is registered and that one of the purposes of said association is to engage in the orderly dispatching of passenger vehicles.
2. In the absence thereof, a copy of its Article of Incorporation and the Constitution and By-laws, together with the list of its members, showing that such Articles of Incorporation and Constitution and By-laws have already been submitted to the Securities and Exchange Commission for registration.

SECTION 123. Application Fees.- Amount of fees payable by the applicant:

- For individual motorela dispatcher per annum ........................................... P10.00/annum
- For individual license or permit for PU’s, PUJs, PUB’s .......................... P15.00/annum
- For group or association licensing ............................................................... P150.00/annum

SECTION 124. Area of Operation:

(a) Every license or permit issued under this Chapter shall define the sub-terminal area where the permittee or licensee shall be allowed to operate. In no case shall dispatching be allowed on any other place other than the existing sub-terminal or sub-terminal that may be established.

(b) No license or permit shall be issued for an area or terminal that has been previously covered by a prior licensee or permittee, unless the latter’s permit is cancelled or revoked or the applicant can present written consent or authority from the prior licensee or permittee.

SECTION 125. Fees or Charges.- A license dispatcher who may engaged in dispatching for motorela and PUJs shall collect a dispatching fee equivalent to the fare of one passenger when fully loaded, regardless of distance; Provided, that if the vehicle is not fully loaded, the fee shall be arranged between the driver or operator and dispatcher concerned.
ARTICLE XX
DISPATCHERS, CONDUCTORS OR FARE COLLECTORS

SECTION 126. Prohibition. - It shall be unlawful for any person, natural or juridical, to employ, hire or engage the services, or to allow, tolerate or cause the employment, hiring or engaging of the services of children as dispatcher, conductor, helper and/or fare collector in public utility vehicles operating in the City, whether said public utility vehicle is operated by his/her parents, relatives or other persons.

SECTION 127. ID Requirement. - No person shall be employed or hired as a dispatcher, conductor, helper and/or fare collector of public utility vehicles without first securing an Identification Card from the Roads and Traffic Administration (RTA), which shall issue the same only after submission of the following:

a) Birth certificate to prove that applicant is more than 16 years old;
b) Medical Certificate issued by the City Health Officer that he/she is physically fit;
c) Barangay Clearance that he is a law-abiding citizen and of good moral standing in the community;
d) Recent 2” x 2” colored ID picture;
e) Residence Certificate for the current year.
f) Parent’s consent in case of applicants between 16 to 17 years old.
g) Attendance in the seminar on traffic rules and regulations and on road courtesy conducted by the RTA.

The ID Card shall be designed by the Roads and Traffic Administration and shall contain at least the following information:
i. Name and signature of the dispatcher, conductor, helper and/or fare collector;
ii. Recent 2” x 2” colored ID picture;
iii. Signatures of the RTA Department Head and the City Mayor.

SECTION 128. Validity of the ID. - The Dispatcher’s/Conductor’s ID shall be valid for one year to expire on the anniversary date of issuance thereof. The City Government through the RTA shall provide and issue the ID at cost to the dispatcher/conductor who shall pay for it at the City Treasurer’s Office.

SECTION 129. Prohibition on fake ID possession. - It shall be unlawful for any dispatcher, conductor, helper and/or fare collector of a public utility vehicle to possess or use photocopy, altered or fake Dispatcher’s ID. Those found in possession or using a photocopy, altered or fake Dispatcher’s ID shall be held liable jointly with the driver of the public utility vehicle.

ARTICLE XXI
OPERATION OF ANIMAL- Drawn CARRIAGES, BICYCLES AND TRICYCLES

SECTION 130. Effect of Regulations. - The regulations applicable to animal drawn carriages or bicycles shall apply whenever an animal-drawn carriage, bicycle or tricycle is operated upon any road or upon any path set aside for the exclusive use of such carriages, bicycles or tricycles.
SECTION 13132. License Required. – All animal-drawn carriages, bicycles and pedicabs owned by residents of the City of Cagayan de Oro shall be registered annually with the Cagayan de Oro Roads and Traffic Administration for issuance of bicycle license stickers upon payment of One Hundred Pesos ($100.00) to the City Treasurer’s Office.

No person, whether resident or not of the city, shall operate, ride or propel an animal-drawn carriage, bicycle or tricycle on any street, highway, alley, roadway, sidewalk or upon any public path set aside for the exclusive use of carriages, bicycles or tricycles unless such has been licensed and a license sticker is attached thereto as provided herein.

SECTION 13132. Traffic Laws Applicable to Persons Riding Bicycles or Tricycles. – The provisions of this Ordinance granting right to and imposing duties upon a driver of a vehicle shall apply to every person operating on animal-drawn carriage, bicycle or tricycle upon a road or in a public place, except those provisions that by their very nature are not applicable.

SECTION 13133. Riding Bicycles or Tricycles. –

(a) No person shall ride a bicycle or tricycle which does not have a permanent and regular seat attached to it.

(b) No person shall ride a bicycle or tricycle that does not have reflectors installed on the pedal and at the rear attached to it.

(c) No bicycle or tricycle shall be used to carry at one time more persons than the number for which it is designed and equipped.

(d) Whenever a bicycle lane is provided, the rider of a bicycle shall use that bicycle lane.

(e) No person shall drive a tricycle on any national road.

SECTION 13134. Towing of Bicycles. –

(a) A person riding a bicycle shall not attach himself to nor permit himself to be drawn by any vehicle.

(b) The driver of a vehicle shall not permit a person riding a bicycle to attach himself to or to be drawn by the vehicle.

SECTION 13135. Riding More than Two Abreast. –

(a) Except on a bicycle lane where such is permitted by signs or other means, no person shall ride a bicycle so that it is traveling abreast of more than one bicycle.

(b) Paragraph (a) of this Section shall not operate to prevent a cyclist from overtaking and passing other persons riding bicycle abreast.

(c) A bicycle shall be deemed to be abreast of another bicycle if any part of it is by the side of any part of the other.
ARTICLE XXII
REGULATION OF MOTORELA OPERATION

SECTION 136. Regulation. - No person shall establish the business of motorela-for-hire without securing a business permit or franchise therefor from the City Mayor’s Office or any appropriate office and pay the corresponding fees at the City Treasurer’s Office.

SECTION 137. Requirement. - Within 10 days from receipt of the application, the City Mayor's Office, City Treasurer’s Office or any office designated shall issue a clearance or deny the application if it has exceeded the authorized number of motorela units authorized to operate in the City. The City Mayor's Office or any office that may be designated shall only issue the business permit or Certificate of Public Convenience, franchise or provisional authority to operators or owners of the authorized number of motorela units allowed to operate hereof.

SECTION 138. Number of units to be operated. - The number of motorela units authorized to operate in the City may be increased by the City Council upon consultation with the Roads and Traffic Administration.

SECTION 139. Insurance. - Owners or operators of motorela shall secure a Group Accident Insurance or at least a Third Party Liability and Passenger Liability (TPL/PL) insurance from any reputable insurance company for drivers and passengers to ensure payment of liability for injury or injuries or death resulting from any accident. Such Group Accident Insurance or TPL/PL shall be renewable every year.

SECTION 140. Requirements. - All motorela operators are hereby required to number their motorela in “BOLD GREEN FIGURES” of one square foot at the front and rear and be registered with the Cagayan de Oro Police Office. For this purpose the City Police Director is authorized and required to assign a number for every motorela beginning with 001 and shall register the said number opposite the name of the operator or license in a book prepared for the purpose.

SECTION 141. Change of ownership. - In case of change of ownership, the new owner or new operator of a motorela shall report such circumstances to the RTA, which shall maintain an updated record of motorela operators in the City.

SECTION 142. Specification of Motorela. - The specification of the body of motorela units operating in the City shall be as follows:

A. Measurement:
   a. Total width - 48 inches
   b. Total height - 46”
   c. Steel plate gauge #20 - #22
   d. Angle steel bar 1 1/2 x 1 1/2 x 1/8”
   e. Round steel bar “1 1/2”/; 3/8”/;
   f. Leatherette or trapal
   g. Axle shaft or I-Beam 3”/;
   h. Ream 3.00x16”/;
   i. Tires
   j. Mirror
B. TYPICAL DETAILS AND CONDITIONS:
- All rubber tires are pneumatic.
- Rela or its bodies is neatly painted.
- Passengers seat with sides and backrest should be upholstered properly for the passengers comfort.
- At the frontage, two (2) lamps or signal lights should be installed.
- Motorela must have water proof top.
- Motorela must have passengers curtain and rain aprons against rain and wind.
- A good horn must be installed.
- Motorela should always be cleaned.

C. PRIME MOVER OR MOTORCYCLE:
- Motorcycle should have a minimum horse power of three (3) H.P.
- It must be provided with a good and conventional handbrake and foot brake.
- It must have a properly installed silencer provided with muffler.
- The motorcycle or the engine should not exhaust excessive smoke that will pollute and suffocate or make passenger dizzy.
- The prime mover must be firmly and securely attached to the rela body.
- The motorela should be provided with auxiliary and parking brake.
- A luggage compartment is also required.

D. SEAT AND BACKREST:
- Passengers seat must be made of good upholstery and encased securely to a framing.
- Minimum size of the frame should be 1 1/2 x 1/8 angle bar.
- Angle bars set framing should be welded.
- Passenger should occupy fifteen (15) inches in width.
- The backrest maybe wooden material encased with cushion upholstery for the convenience of the passenger. It should be attached to the siding and bolted securely.

E. LIGHTING:
- The motorela should be provided with one headlight; two (2) tail lights; one (1) brake light.
- Signal lights should also be installed at the front of the motorela. One (1) signal light should be at the left side three (3) inches from the edge and one light at the right side.
- At rear end of the motorela a brake light must be installed three (3) inches from its left edge and must be clearly visible by any vehicle immediately following.
- A tail light or signal light should be installed at the rear end. One (1) at the left side three (3) inches from its edge clearance and another one at the right side. Both should be at the outmost side of the motorela and clearly visible.
- Passenger or interior light must be five (5) watts bulb just above the passenger head.
- The rela gadget for dimmer head light when meeting other vehicles during night must be provided.

F. TOPPING OR ROOFING:
- Motorela must be provided with a topping made of trapal leatherette or steel plate gauge #22.
- Steel plate topping must be welded to the framework. The trapal or leatherette must be fastened or tightened securely to the roof frame to cover against rain.
b. The roof structure should be welded along the joints and its ninety degrees (90) edge shall be
d to insure its firmness and rigidity.

c. The roof structure should be made of round iron bar width 3/8 of an inch diameter and 1/2 of
a n inch diameter of the topping ribs as indicated in the roof plan.

d. The support of the topping or post must be strong enough to withstand the maximum load.

e. The size of the post should be at least 3/8 of an inch of a round bar; at least ten pieces of the
round bars must be used.

G. FLOORING AND SIDINGS

a. It should be a steel plate and the minimum thickness is gauge #20, or other equivalents.
b. Flooring should be welded or bolted firmly to the chassis.
c. All joints must be welded.
d. All sidings should be welded or bolted.
e. Flooring and sidings must be free from sharp edges or pointed materials hazardous to
passengers.
f. Stop bars for passengers should also be provided four (4) inches just below the rear
flooring. It should be constructed with round bars.

H. SPRING AND SHAFTING:

a. Spring leaves should be used as cushion to absorb shock from the body. Spring must
withstand the compression and the tension stress to the total weight.
b. Motorela must have a minimum two (2) sets of jeep leaf spring attached to the chassis. One at
the left side and one at the right side. The front end of this main spring should be hinged on a
bracket strong enough to withstand the load. Rear ends must be shackled. A bracket of 1/8 of an
inch on the spring shackle to hold it to the chassis.
c. A hanger must be welded to the chassis. It is a bracket on the spring shackle to hold it to the
chassis. The pin is inserted into each of the spring eye attached to the hanger.
d. The stationary axle shaft or x-beam of three (3) inches in diameter attached to spring leaves
must be u-bolted or clamped to the spring of 3/8 of an inch diameter u-bolt. An axle is a
stationary member primarily loaded in bending with bearing that supports the rim and wheel
that rotates on it. A spindle should be installed at the end of the axle. A spindle is any rod, pin
or shaft that revolves or serve as an axle for a revolving part.
e. One stabilizer should also be installed at each side and attached similarly to the spring.
f. The minimum size of the rim is 3.00x16", the side wheel with four (4) ply heavy duty tire
rim and the wheel.
g. Side wheels must be properly covered with mud guard to prevent water and mud to fly or
swing to the passengers.

I. CHASSIS AND FRAMING:

a. A chassis is a lower framework underneath where the flooring is welded supports the flooring
and the whole body of the motorela.
b. All joints must be welded.
c. Chassis framing are constructed of iron angle bar 1 1/2 x 1/8 and the reinforcing round bars with
minimum 1/4 in diameter.
d. The leaf spring is attached to the hanger then welded to the chassis.
e. The motorcycle is also attached securely to the chassis.
f. All points with 90o elbow joint should be welded at the elbow edge.
SECTION 143. Refusal to convey passengers. - No driver shall refuse to convey any passenger except between 12:30 and 1:30 post meridian and 7:00 and 8:00 post meridian, except in cases of emergency.

SECTION 144. Passenger Fare. - The rate of passenger fare, regular or privilege, of motorela within the City of Cagayan de Oro shall be fixed by Ordinance after public hearing.

SECTION 145. Privilege Fare. - In order for a student to be entitled to the privilege fare, he shall wear school uniform or show his/her I.D., if so requested.

SECTION 146. Prohibited acts for drivers. - No driver of motorela shall charge, demand or exact fare from any passenger in excess of the amount provided for in this chapter. Likewise, it shall be prohibited for any driver and/or operator of motorela to declare a strike in whatever manner, form or style and/or for whatever cause or purpose without first filing a notice to this effect with the Office of the City Mayor within the period of five (5) days before the scheduled date of the strike.

ARTICLE XXIII
REGULATION OF TRISIKAD OR TRICYCLE FOR HIRE OPERATION

SECTION 147. Place of Operation:

Trisikad or tricycle for hire shall be authorized to operate only in the premises of any subdivision in the rural barangays or in areas of rural barangays where there are no adequate transportation facilities as certified to by the Head of the Roads and Traffic Administration (RTA).

The concerned Barangay Council in consultation with the RTA shall have the authority to fix the number of trisikad units allowed to operate in the said barangay.

SECTION 148. Permit. - No person, whether natural or juridical, who owns and operates a trisikad or tricycle for ferrying and/or transporting goods, things, cargoes or passengers shall be allowed or permitted to operate unless he/she first secures a Mayor's Permit, pays the corresponding registration fee imposed under the Revenue Code, and present the following documents:

a. Copy of barangay resolution allowing trisikad/tricycle unit/s to operate within any given subdivision in the barangay or area in the barangay where such operation is needed.

b. Certification of the RTA Head that the area where the trisikad/tricycle is authorized to operate has no adequate transportation facilities.

c. Copy of the policy of the Group Accident Insurance as required under Section 5 hereof.

d. RTA Certification as to the road worthiness (make and condition) of the trisikad.

The said Mayor's Permit shall be conspicuously hanged or placed at the conspicuous portion of the trisikad or tricycle to be easily viewed by the passenger or traffic/law enforcers.

SECTION 149. Insurance. - Owners or operators of trisikad or tricycle shall secure a Group Accident Insurance or at least a Third Party Liability and Passenger Liability (TPL/PL) insurance from any reputable insurance company for drivers and passengers to ensure payment of liability for injury or injuries or death resulting from any accident. Such Group Accident Insurance or TPL/PL shall be renewable every year.
SECTION 150. Regulations. - The following shall be the prohibited acts under this Ordinance:

(a) No person shall be allowed to drive a trisikad for hire unless:
   a. he is at least eighteen years of age;
   b. physically fit as certified to by a licensed physician;
   c. has not been convicted of any crime against person or property, or violated traffic rules and regulations for not more than 10 offenses as shown in the traffic clearance;
   d. a holder of a certification issued by the RTA that he/she has undergone seminar on traffic rules and regulations.

(b) No driver shall refuse to convey passenger except during lunch time (12:00 H.N. to 1:00 P.M.) and dinner time (7:00 P.M. to 8:00 P.M.)

(c) Trisikad or tricycle shall not be allowed to enter and pass along National Highway, and/or adjacent barangays except in emergency cases upon clearance of the Police Precinct or any barangay official of the locality.

(d) The operation of trisikad for hire or private use shall not be allowed in the urban barangays.

(e) No driver shall be allowed to operate under the influence of liquor or any prohibited drugs.

(f) Installation of sound system and air horns shall not be allowed.

(g) No trisikad shall be allowed to operate from 12:00 o’clock in the evening up to 4:00 in the morning.

SECTION 151. Passenger Fare. - The Sangguniang Barangays are hereby authorized to fix from time to time the fare of trisikads or tricycles operating within their respective territorial jurisdictions, subject to the following conditions:

(a) The fixing of the trisikad or tricycle fare shall be through a barangay ordinance duly enacted by the Sangguniang Barangay and reviewed by the City Council (Sangguniang Panlungsod);

(b) The trisikad or tricycle fare shall be reasonable;

(c) The Sangguniang Barangay shall conduct a public hearing on the proposed trisikads or tricycle fare;

(d) The Sangguniang Barangay shall provide for a privilege fare for students and senior citizens in accordance with existing laws;

(e) No trisikad or tricycle fare shall be increased twice in a year.

SECTION 152. Equipment and Condition. - Every trisikad or tricycle shall be strongly built, well-balanced and neatly painted and securely connected. Any owner, driver, operator and/or such person to whom a permit or license is granted to use, drive and/or operate a motorized public utility tricycle and to transport or convey passengers or goods within the limits of the City shall provide:

(a) Upholstered seat with side and back rest;

(b) Two (2) red tail lights, with stopping and signal mechanism on the sidecar of the tricycle;

(c) One (1) additional head light to be placed in front of the sidecar;

(d) One small light inside the sidecar;

(e) Reflectorized stickers, color red at the back of the sidecar and the other color white sticker to be placed in front of the sidecar (measuring 20 inches in length and 3 inches in height);
Side mirrors, front and rear brake system, and other necessary accessories.
- A maximum passenger of two persons for trisikad and six persons for tricycle.
- Roofing either permanently attached or detachable to protect passengers and/or drivers from the heat of the sun or rain.
- One litter waste receptacle;
- No noisy exhaust/muffler.

**SECTION 153253. Color Coding** – All trisikad or tricycle-for-hire shall be color-coded on a per barangay basis. The RTA in coordination with the sangguniang barangay shall determine the color to be assigned for the trisikad or tricycle-for-hire in a certain barangay.

**SECTION 154154. Duties of the Barangay** – It shall be the duty of the Barangay Council to:
- set the number of units of trisikad and/or tricycle that will be allowed to operate in the barangay but not more than the number set and recommended by the RTA;
- conduct inspection of the trisikad or tricycle for compliance of the provisions hereof and issue certification thereto.
- assist the police, RTA enforcers in implementing this Ordinance and other traffic laws and regulations.

**SECTION 155155. Duties of the RTA** – It shall be the duty of the RTA to:
- set the maximum number of trisikad or tricycle that will be allowed to operate per barangay and submit the same to the City Council committee on public utilities;
- implement the provisions of this Ordinance.

**SECTION 156466. Barangay Clearance Fee for Trisikad.** – Within 30 days from the effectivity of this Ordinance, the City Treasurer shall consult the Association of Barangay Councils (ABC) for the purpose of fixing a reasonable uniform Barangay Clearance Fee for all barangays.

**SECTION 157757. Submission of Barangay Ordinances.** – Within 30 days from the effectivity of this Ordinance, all Barangay Councils shall submit or furnish a copy to the RTA and/or the City Treasurer their respective barangay ordinances pertaining to the operation of trisikads for further review to conform with the provision of this Ordinance and RA 7160, otherwise known as the Local Government Code of 1991.

**ARTICLE XXIV**

**PEDESTRIAN RIGHTS AND DUTIES**

**SECTION 158648. Pedestrian Crossing.**
- A driver approaching a pedestrian crossing shall travel at such a speed that if necessary to comply with this Section, he will be able to stop his vehicle before reaching the pedestrian crossing.
- A driver shall give way to any pedestrian who is on a pedestrian crossing.
**A driver shall not permit any portion of his vehicle to enter upon a pedestrian crossing even if any vehicle headed in the same direction is stopped on the approach side of or upon the pedestrian crossing apparently for the purpose of complying with this Section.**

**SECTION 159159. Duties of Pedestrians.** – A pedestrian:

1. When on a footway, marked crosswalk, or pedestrian crossing, shall keep as close as practicable to the right side of the footway;
2. When crossing a thoroughfare at an intersection shall keep right of pedestrian crossing in the opposite direction;
3. When crossing a thoroughfare or portion of a thoroughfare shall do so promptly by shortest and most direct route; as may be practicable, to the thoroughfare boundary.

**SECTION 160160. Restrictions on Pedestrians.** – A person shall not:

1. Stand on way portion of thoroughfare while waiting for a vehicle;
2. Proceed from a footway towards a vehicle that has not fully stopped for the purpose of boarding it;
3. Alight from or board a moving vehicle, or do so at an area where loading and unloading is prohibited;
4. Remain on a pedestrian crossing or marked crosswalk longer than is necessary for the purpose of passing over the thoroughfare with reasonable dispatch;
5. Stand up a footway thoroughfare so as to inconvenience, obstruct, hinder or prevent the free passage of any other pedestrian or any vehicle.

**SECTION 161161. Overpasses as No Jay-Walking Zone.** – The area within the 50 lineal meters from both sides of every overpass/flyover in the City is hereby designated as Jay-Walking Zone.

**SECTION 162162. Prohibitions on Pedestrian Lane; Embarking or Disembarking:**

a. It shall be unlawful for any person to cross the street outside established pedestrian lane or crosswalk, without complying with the 'Walk Don’t Walk’ light indicator, or to cross the street within the 50 lineal meters from both sides of a pedestrian overpass.

b. It shall likewise be unlawful for any driver to load or unload passengers and/or for any passenger to embark or disembark from a vehicle at any place along the street or intersection not officially designated as 'Jeepney Stop' or 'Loading and Unloading Area'.

**SECTION 163163. Pedestrians on Thoroughfare.** – Except when there is a sidewalk or footway, a pedestrian:

1. Proceeding along a thoroughfare shall, when practicable, travel on the thoroughfare or side of the thoroughfare used by vehicles traveling in the opposite direction, and shall keep as close as he can to the boundary of the thoroughfare on his left.

2. Shall not proceed along a thoroughfare abreast of more than one other pedestrian, except in procession or parade authorized by the proper authority.
ARTICLE XXV

MISCELLANEOUS RULES

SECTION 164. Obstruction to Driver’s View or Driving Mechanism:

(a) No person shall drive a vehicle when it is overloaded, or when there are in the front seat such numbers of persons, exceeding three, as to obstruct the view of the driver to the front or sides of the vehicle or as to interfere with the driver’s control over the driving mechanism of the vehicle.

(b) No passenger in a vehicle shall ride in such a position as to interfere with the driver’s view ahead or to the sides, or to interfere with his control over the driving mechanism of the vehicle.

SECTION 165. Vehicles and Pedestrians on Conflagration:

Once the fire alarm is sounded, all vehicles and pedestrians should clear the route of fire trucks by stopping along sidewalks.

SECTION 166. Following Fire Truck or Other Emergency Vehicles Prohibited:

The driver of any vehicle shall not follow any fire truck, ambulance or other emergency vehicle traveling in response to fire alarm or emergency closer than 150 meters, or drive into or parked such vehicle within the block where a fire truck, ambulance or other emergency vehicle has stopped in answer to the fire alarm or emergency.

SECTION 167. Putting Glass, Sharp Objects on a Road:

No person shall throw or deposit upon any road, any glass bottle, glass, nails, tacks, wire, cans or any other substance likely to injure any person, animal or vehicle on a street or highway.

SECTION 168. Tracking Mud, Cement or Debris unto the Road:

No vehicle using the public road shall track mud, cement or debris unto the traveled portion of such road in such quantities as will constitute hazard to the roadway or obscure the painted pavement markings thereon in the event that mud cement or debris is unavoidably tracked unto the road, it shall be the duty of the owner of the offending vehicle to have said mud or spillage removed as quickly as possible.

SECTION 169. Driving Through Funeral or Other Processions:

(a) No person shall drive a vehicle between the vehicles comprising a funeral or other authorized procession while they are in motion. When the lead car of any funeral or other procession shall have entered by intersection, notwithstanding the light conditions at those intersections controlled by signal devices, then all other traffic shall yield the right-of-way to all vehicles comprising such funeral or other procession until it has passed through the intersection. The foregoing provisions of this section shall apply only to such funeral or other procession moving under police escort.

(b) No funeral, procession, assembly or parade containing 200 or more persons or 50 or more vehicles, except the Armed Forces of the Philippines and the forces of the police and fire departments, shall, occupy, march or proceed along any street except in accordance with a permit issued by the Roads and Traffic Administration and such other regulations as set forth herein which may apply.

(c) A funeral procession composed of any number of vehicles shall be identified as such by the conspicuous display on the top center of each vehicle, a banner not less than twenty centimeters (20 cm or 8 inches long) and ten centimeters (10 cm or 4 inches) wide, predominantly black or violet in color, with the word FUNERAL printed on both sides thereof, in letters no less than four centimeters (4 cm or 1/2 inches) in height and the display on the top center of both the lead vehicle and the end vehicles of a flashing amber light having a minimum diameter of fifteen centimeters (15
cm or 6 inches). The flags and lights shall be fastened by means of magnets, suction cups, or strings. While in the procession each driver shall turn on the headlamps of his vehicle as further identification.

SECTION 170. Restricting Animals and Livestock on Roads:

(a) No person owning, controlling or having the possession of any livestock or animals such as cattle, horses, swine, goats, etc., shall negligently permit any such livestock or animals to stray or remain unaccompanied by a person in-charge or control thereof, upon any road.

(b) No person shall drive or lead any such livestock upon, or across any street or road, without keeping a sufficient number of herders on continual duly to open the road so as to permit the passage of vehicles.

SECTION 171. Opening Doors and Alighting from Vehicles.- A person shall not open or leave open a door of a vehicle or alight from a vehicle unto a thoroughfare, so as to cause danger to other person using the road or so as to impede passage of traffic.

SECTION 172. Use of Horns, Warning Instruments:

A. Prohibition - No person shall use or cause to be used the horn or any other warning instrument on a vehicle, except when necessary as a traffic warning or as indication that the driver of the vehicle intends to overtake another vehicle.

b. Place of worship - No driver shall blow its horn within fifty (50) meters from any established place of worship in the City of Cagayan de Oro, during Sundays and other established religious holidays and while said religious services are being performed.

c. School - No driver of any motor vehicle shall blow its horn within fifty (50) meters from a school building during day or night classes.

d. Signs - The Traffic Division of the Cagayan de Oro Police Command is authorized to post the necessary signs in the areas concerned.

SECTION 173. Use of seatbelts. - A driver of any motor vehicle, as well as passengers occupying the front seats and other specified locations, must wear a seatbelt as provided for under Republic Act No. 8750 and the implementing rules and regulations issued by Land Transportation Office.

SECTION 174. Safety Helmets for Motor Cyclists.-

(a) A person shall not drive or ride upon a motorcycle unless that person is wearing a safety helmet on his head securely fastened under the chin of the wearer.

(b) A safety helmet referred to in paragraph (a) herein shall comply with the standard set by the proper authority;

(c) A person shall not drive a motorcycle while wearing a safety helmet to which is attached an eye protector unless that eye protector complies with the standards set by the proper authority.

SECTION 175. Obstructing Roads - Selling of Foods, etc.-
A person shall not, without the written permission of the Cagayan de Oro Roads and Traffic Administration, drive or leave standing any vehicle on a road for the purpose of:

(i) soliciting employment or business from the vehicle;
(ii) displaying an advertisement on the vehicle; or
(iii) offering foods for sale from the vehicle.

(ii) A person shall not stand or place himself on a road for the purpose of:

(i) soliciting contributions;
(ii) display any advertisement; or
(iii) offering goods for sale.

A person in vehicle shall not buy or offer to buy an article from any person standing or placed on a road.

A person shall not bar, impede or divert the flow or direction of traffic from any road, street or highway, unless authorized in writing or except when the closure of a road or any part thereof, to traffic or the direction of traffic is dictated by reasons of emergency to protect the public from any calamity, fire or other public danger.

The prohibition contained herein shall also apply to the use of sidewalks by vendors, repair shops or any establishments.

Stalled vehicles on thoroughfares shall be construed as obstructing traffic if not removed or towed within 10 minutes.

SECTION 176. Diggings and Excavations on Existing Roads.-

It shall be unlawful for any person or entries, whether on their own or as contractors to any government agency, local or national, to excavate or dig for the purposes of installing water pipes, telecommunication lines, poles, drainage pipes, and other underground facilities, within roads, streets, thoroughfares and alleys without first securing an excavation permit from the necessary agencies concerned, such as but not limited to Roads and Traffic Administration except in cases of emergency in which case the permit should be secured within three (3) working days.

The application for temporary closure of a road or part of the road, due to diggings and/or excavation shall be evaluated first by the Roads and Traffic Administration so that timetable, remedial steps, and other precaution can be undertaken to minimize adverse effect on traffic flow.

Excavators/diggers must at all times put up road signs for precautionary measures to motorists and pedestrians alike/or safety signs warning of excavation works ahead. Such road signs shall have the following conditions:

- the materials used for the signs shall be of strong quality.
- the size must not be less than 3 feet x 4 feet with bold markings.
- installed with semi-permanent support and implements to ensure visibility to motorists even during night time.

All areas dug or excavated must be properly restored to its original form under the standard specification for road construction. To ensure restoration, the party undertaking the digging or excavation shall post a bond equivalent to one hundred per centum of the cost to restore the same, the amount to be determined by the City Engineer. The bond shall be forfeited in favor of the City Government if restoration work is not commenced within 10 days of completion of the excavation and to
be completed within the same number of days for which the excavation had been authorized. Deposit shall be released within five (5) days after determination by the City Engineer or his authorized representative that the road has been restored satisfactorily.

SECTION 177. Washing of Vehicles Prohibited. - No washing of vehicles, motorelas and trisikads shall be made anytime along the city streets or portion thereof to avoid the collection of mud and dirty water on the sidestreets.

SECTION 178. Garage Construction. - All operators or owners of PU cars and taxis shall have their own garage so that there will be no more overnight parking of these cars in city streets fronting hotels and where washing of these units shall also be made.

SECTION 179. Access Restrictions on Some Roads.

(a) It shall be unlawful for any person, natural or juridical, to close, obstruct, prevent, or otherwise refuse to the public or vehicular traffic the use of or free access to any subdivision or community street owned by the government and within the jurisdiction of the City of Cagayan de Oro or to exact fees in any form for the use thereof, unless with prior authorization of the Sangguniang Panlungsod. Such act is hereby declared a nuisance per se and the Mayor is hereby authorized to remove such closure or obstruction and to open the said road to the public motu proprio at the expense of the offender.

(b) Subdivision roads and/or private roads not turned over to the City may be opened to the public under the following conditions:

(i) the road will strengthen the road network and provide traffic relief to the nearby roads that are congested as may be determined by the Roads and Traffic Administration;

(ii) The Sangguniang Panlungsod has approved its opening, under such terms and conditions that will minimize or obviate any disturbance, pollution, or inconvenience to the residents in the area.

SECTION 180. Other Restrictions. - The use of streets, sidewalks avenues, alleys, bridges, parks and other public places in the City of Cagayan de Oro for commercial and personal purposes are hereby prohibited, unless expressly permitted by the City Mayor and/or the City Council of Cagayan de Oro. Such prohibited acts include but not limited to the following:

- Vending or selling of foods, magazines, newspapers, cigarettes, brooms, watches or jewellery, shoes and other footwear, and/or other items;
- Conduct of shoe-shine occupation;
- Conduct of “religious” activities, such as preaching and seeking alms;
- Doing house chores such as washing clothes, hanging clothes; and bathing
- Vehicle garage and/or vehicle repair;
- Dumping garbage;
- Setting up of basketball court/goal;
- Use of sidewalk to install pens of animals or keep animals in chains;
- Storing soft drinks or wine/liquor bottles and cases, drinking liquor and beverages and holding picnics/gatherings;
Storing of junks and recyclable materials;

Use of sidewalk of storage of construction materials for sale (pipes, tubing, lumber, cement and the like);

House extension or stall/store extension including installation of roofs or awnings;

Installation of permanent or picket fence;

Use of sidewalks for plants, trees and plant boxes; and

Signs or signboards on or above sidewalks and detached from the business establishment.

All items, goods and structures found on or along roads, streets, avenues, alleys, sidewalks, bridges, park and other public places shall be confiscated by the City Government without prior notice. The same shall be treated as common or ordinary garbage and shall be disposed of as such. Provided, that food commodities maybe given to City Jail as food of prisoners or street children respectively. The City Government shall not be held liable for any damage arising from the removal, confiscation or dispositional of the said items.

SECTION 181. Temporary Use and or Occupation of Sidewalks or Alleys for Stockpiling of Construction Materials:

Prohibition.- The stockpiling of construction materials or any object or equipment on sidewalks or alleys or any part of the road is prohibited. However, temporary use of the sidewalk adjacent to the construction site may be allowed upon payment of P50.00 per sq. m. per day.

Regulation.- No permit for the temporary use of sidewalk mentioned in the next preceding section shall be issued without presentation of receipt of payment therefor specifying the amount and the number of days.

Assessment.- Additional assessment shall be made against the permittee for excess use of area and number of days actually availed of over what has been paid for and covered by the permit.

ARTICLE XXVI
USE OF WHEEL CLAMPS TO IMMOBILIZE ILLLEGALLY PARKED VEHICLES

SECTION 182. Use of Wheel Clamps or Tire Locks.- The use of wheel clamps or tire locks to immobilize illegally parked and unattended vehicles in any street or area designated as “no parking” or “tow-away zone” pursuant to this Ordinance is hereby authorized.

SECTION 183. Specification.- The wheel or tire clamp is a yellow metal gadget or immobilizing device duly registered, authorized and bearing the seal of the City of Cagayan de Oro that is placed on the left portion of the right tire of the vehicle, including container vans, trucks, trailers and other multi-wheeled vehicles, and shall be installed by the authorized personnel of the Roads and Traffic Administration.

SECTION 184. Fee.- For the release/removal of the said clamping device the owner/driver/operator shall pay the fine of P500.00 to the City of Cagayan de Oro, for which a corresponding official receipt shall be issued. Payment shall be made at any official redemption center designated by Roads and Traffic Administration.
SECTION 185. Redemption. - The owner/driver/operator of a clamped vehicle shall be given a maximum period of three (3) hours, within which to redeem the said vehicle by paying the amount of the fine prescribed hereof. Otherwise, the said vehicle shall be towed and impounded in the Roads and Traffic Administration impounding area.

SECTION 186. Government waiver on damages. - The City Government of Cagayan de Oro shall not be held responsible for any damage to the vehicle caused by any movement or attempted movement of the vehicle by the owner/driver/operator while the wheel is clamped: Provided, That a notice of immobilization shall be placed on the driver side windshield of the vehicle.

SECTION 187. Prohibition. - It shall be unlawful and/or illegal to remove or attempt to remove or destroy the wheel clamp, and shall subject the offender to a fine of PhP 1,000.00 or one (1) month imprisonment or both, at the discretion of the Court.

ARTICLE XXVII
GUIDELINES AND PROCEDURES FOR TOWING OPERATIONS

SECTION 188. Towing. - Stalled vehicles parked along any road, street, highway and thoroughfare for a considerable period of time or in violation of the No Parking and related provisions of this Ordinance shall be removed or towed and impounded by the Roads and Traffic Administration or by its accredited private towing companies and shall be released to the owners only upon payment of towing and storage fees.

SECTION 189. Accreditation.- The accreditation of towing companies or agencies that can provide advantageous services to the City shall be made through public bidding and shall be governed by the following criteria:

a) The towing company shall have at least one towing truck with accessories that meets the standards provided by the Roads and Traffic Administration.
b) Have a business permit to engage in towing services.
c) Have a sufficient and secured parking area for storage of unclaimed towed vehicle.
d) Have sufficient well trained towing crew.

SECTION 190. Guidelines for Towing Vehicles:

a) The towing company/agency, whether private or government shall be held responsible for losses/damages incurred while towing the vehicles.
   For illegally parked vehicles:
   i. Attended illegally parked vehicles shall not be towed but the driver shall be immediately issued a traffic citation ticket;
   ii. Unattended illegally parked vehicle shall be towed and issued a traffic citation ticket immediately upon arrival at the impounding area.

b) For stalled vehicles as a result of flat tire:
   i. Stalled or illegally parked vehicle due to flat tire, or engine trouble will be towed and a traffic citation ticket will be issued.
Changing of flat tire on the road shall not be allowed.

Stalled or illegally parked vehicles as a result of empty fuel tank may be towed to the nearest gasoline station, however, the towing fee should be paid to the tow truck in accordance with the number of kilometers from the point of origin to the gasoline station and a traffic citation ticket shall be issued to the driver.

Stalled or illegally parked vehicle as a result of engine trouble shall be towed in cases where the driver deliberately refuses to remove his vehicle or cannot move his vehicle due to the absence of equipment, etc., or the circumstances beyond his control, and a traffic citation ticket shall be issued to the driver.

Illegally parked vehicles that are already clamped to the tow truck shall be subject for intercession by the owner of the vehicle or his/her representatives.

SECTION 191- Towing Procedures

a) Upon receipt of the report on a stalled/illegally parked vehicle, the tow truck shall immediately proceed to the identified location thereof.

b) Upon arrival at the identified location, the tow truck crew shall immediately call the Roads and Traffic Administration to report on the said stalled/illegally parked vehicle. The following information must be provided:

- Stalled/illegally parked vehicle’s plate number, type and color
- Vehicle’s condition/other description
- Tow truck’s name, plate number, address and telephone number
- Names of towing crew/personnel
- Designated impounding area or location where the stalled/illegally parked vehicle will be brought.

The officer on duty in the Roads and Traffic Administration shall verify on its records whether or not the said tow truck is duly accredited. If so, it shall record all above information in the official logbook of incoming reports and assign a control number for each entry or towing incident. He must also affix his signature opposite each entry.

The pages of the official logbook must be pre-numbered. In case of any error made in the recording of the towing incident, a horizontal line must be made to indicate the error or its validation.

If the subject vehicle for towing is in the watch list of carnapped vehicle, then it will be reported to the proper authorities.

The Roads and Traffic Administration shall give the go signal to the towing crew with the following instructions: “You are cleared to tow,” to indicate that they may proceed in the towing of the vehicle.

Upon receipt of the instruction the towing crew shall engage the towhook to the stalled or illegally parked vehicle.

Before actual towing, if the owner is around, the tow truck crew shall issue a traffic citation ticket. In case the owner/driver is not present, the notice shall be left to any traffic officer on duty at the area or to any responsible person who can give the notice to the owner.

The impounding area where the said vehicle shall be towed and impounded shall likewise be indicated.
h) Should the vehicle owner refuse to accept the notice, then the notice shall be disregarded and the apprehending officer will place a notation in the notice that the owner refuses to accept before the vehicle is towed.

i) When the tow truck starts to move, within the first minute after towing, the tow truck crew shall advise the Roads and Traffic Administration of the time of their arrival upon reaching the designed impounding area with the towed vehicle.

j) The Roads and Traffic Administration shall validate the above information.

k) If the towed vehicle is not recorded in the logbook, the vehicle will be reported as missing and considered as carnapped.

SECTION 192. Monitoring of Towing Operations:

a) The Roads and Traffic Administration shall be responsible in monitoring any suspicious or illegal towing operation being conducted in the City.

b) In case of any suspicion on a tow truck conducting a towing operation which may arise due to the absence of the sticker to be issued by the City of Cagayan de Oro, the traffic enforcer shall stop the said tow truck for questioning. He shall call the proper authorities whether the said towing incident has been reported, and if the said tow truck is duly authorized.

c) If the tow truck had no authority to operate the towing service, within the City of Cagayan de Oro, the towing incident shall be considered an unlawful act, and the tow truck operator shall be charged for colorum operation. The traffic enforcer shall issue a traffic citation ticket to the tow truck operator, through the driver of such violation and shall impound the said tow truck.

d) The traffic enforcer shall report the illegally operating tow truck to the authorities with complete information on the towing vehicle and the towed vehicle.

e) The Roads and Traffic Administration shall send the above information to all law enforcement agencies to verify if the same is among those reported as carnapped vehicle.

SECTION 193. Towing Fees - All motor vehicles, illegally parked and stalled on any street, road or thoroughfares within the City not otherwise designated as parking areas shall be towed to the designated impounding areas to be released only to the owners, operators, drivers or duly authorized claimants upon payment of the corresponding towage and impounding fees, in accordance with the herein schedule. The towing fees herein stated shall be charged by the tow trucks for hire and shall be paid to the Office of the City Treasurer of the City of Cagayan de Oro:

<table>
<thead>
<tr>
<th>Type/Load of Vehicle</th>
<th>Towing Fee</th>
<th>Impounding Fee per day</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1 Km or less</td>
<td>More than 1 Km but less than 5 Km</td>
</tr>
<tr>
<td>Class A (Cars, jeeps, and light vehicle)</td>
<td>₱100.00</td>
<td>₱300.00</td>
</tr>
<tr>
<td>Class B (delivery vans, trucks not more than 4,000 kilos gross weight)</td>
<td>₱150.00</td>
<td>₱400.00</td>
</tr>
<tr>
<td>Class C (buses, trucks, heavy equipment of more than 4,000 kilos gross weight)</td>
<td>₱200.00</td>
<td>₱500.00</td>
</tr>
</tbody>
</table>

Share of the City in the towing fees shall be 50% in such cases where the tow truck is not owned by the City.
Any impounded vehicle not claimed or redeemed by the lawful owner within ninety (90) days shall be sold to public auction subject to existing laws to answer fees and other charges unpaid for the period specified.

ARTICLE XXVIII
TRAFFIC ADMINISTRATION

SECTION 194. Creation. - There shall be created the Roads and Traffic Administration (RTA) as a separate and distinct department.

SECTION 195. Functions. - The Roads and Traffic Administration (RTA) is solely vested with the power to enforce and implement this Ordinance and such traffic management plans and programs that may hereafter be drawn or prepared.

The RTA shall have the following functions:

1. Install and maintain traffic signs, road markings and other traffic control devices or cause the preparation and installation of the same;
2. Identify private roads that should be opened to improve overall circulation, and initiate moves for the full or partial integration into the road network;
3. Collect traffic data and statistics such as vehicular counts, road layouts and dimensions, etc;
4. Review request for road diggings, road constructions, temporary closures, parades, and conduct of extraordinary events that would reduce road capacity;
5. Provide the technical and staff support to the Sangguniang Panlungsod in regulating the operation of tricycles, pedicabs and other public conveyances within the administrative jurisdiction of the city/municipality;
6. Coordinate with public transport operators in the provision or operation of facilities like terminals and waiting areas;
7. Appear in the hearings of the Land Transportation Franchising and Regulatory Board to ensure that the issuance of permits or certificates of public convenience are consistent with the plans of the city/municipality;
8. Assign personnel to direct or control traffic at intersection and other locations requiring such intervention;
9. Execute the enforcement component of any traffic scheme devised or conceived by the Roads and Traffic Administration;
10. Enforce applicable traffic rules and regulations, including apprehension and issuance of traffic citation tickets to drivers found in violation of any provisions of this Ordinance;
11. Conduct an investigation of any vehicular accidents that occur within the city;
12. Coordinate with the Traffic Management Group, Cagayan de Oro City Police Office and barangay officials, traffic enforcers and other affiliated agencies harmonize personnel deployment and field operations within the city;
13. Initiate the towing of vehicles obstructing traffic;
14. Suggest changes in any traffic scheme, including provision of traffic signals;
15. Implement a local traffic education and road safety program;
16. Establish, operate, maintain and/or administer terminals, parking facilities, bicycle paths, including collection of user fees and charges thereto;
17. Initiate or administer pedestrian districts or streets temporarily or permanently withdrawn from vehicular use, including time allocation for use of roads other than for vehicles;
Take custody of vehicles and articles impounded by virtue of this Ordinance and secure the same in the city impoundment Area until released to their owners or lawful claimants, or otherwise disposed in accordance with this Ordinance;

- Provide administrative services to all the divisions of the Bureau;
- Provide management information services, including the collection of accident data, updating and maintenance of records, inventory of roads and traffic control devices;
- Handle the paper work and documentation attendant to enforcement, such as the processing of traffic citation tickets;
- Conduct public information campaigns in support of any activities of the Department;
- Provide other task that may be assigned by the City Mayor and/or the Roads and Traffic Administration.
- Conduct continuing traffic surveys and statistics gathering;
- Propose rerouting, parking and other regulations to the authorities;
- Conduct feasibility studies or traffic networks and system;
- Conduct studies and propose engineering designs or intersection management;
- Maintain and operate the traffic signals;
- Provide the needed traffic signs and pavement markings within the jurisdiction of the City of Cagayan de Oro;
- Conduct further load studies and propose engineering designs or intersection management;
- Maintain the flow of vehicular traffic and enforce the traffic rules and regulations;
- Conduct traffic education program and administer the dissemination of information regarding traffic updates;
- Propose ways and means for traffic revenue measures;
- Absorb and exercise all functions related to transport safety, develop and provide public parking, and undertake environmental protection activities such as anti-smoke belching, noise pollution and other pertinent laws and ordinances.
- Manage and control the use of public roads and pathways and the clearing of obstructions of any form to ensure smooth flow of traffic.
- Reroute traffic and close roads during emergencies and during fiesta, festivals, holidays and on such other special occasions for a duration of not more than three (3) days only.

**SECTION 196. Organizational Structure.** The Roads and Traffic Administration shall have the following Organizational Set-up:

a) Traffic Administrator with the rank of City Government Department Head II:

b) Assistant Traffic Administrator with the rank of Assistant City Government Department Head II

c) Administrative Services headed by an Administrative Officer III, with the following support personnel:

- Records Officer II
- Computer Operator II
- Supply Officer II
- Clerks I
- Bookbinder II
- Messenger
- Driver I
- Utility Worker II

d) Traffic Engineering Division headed by an Engineer IV, with the following Sections and support personnel:
d.1 Traffic Signal Control/Signage & Pavement Markings Section
   1 – Engineer II
   1 – Electronics and Communication Equipment Technician II
   1 – Engineering Aide
   1 – Draffsman II
   1 – Painter I
   1 – Welder I
   1 – Carpenter I
   2 – Laborer I

d.2 Transport Technical Section
   1 – Engineer II
   1 – Statistician I
   1 – Computer Operator II
   1 – Computer Maintenance Technologist I

e. Traffic Enforcement Division headed by Traffic Operation Officer IV, with the following Sections and support personnel:

   e.1 Traffic Education Section
      1 – Traffic Operation Officer II
      1 – Public Relation Officer II
      1 – Audio-Visual Equipment Operator I
      1 – Clerk I

   e.2 Traffic Law Enforcement & Control Section
      1 – Traffic Operation Officer II
      1 – Traffic Aide II
      130 – Traffic Aide I

   e.3 Traffic Special Services Section
      e.3.a Telephone/Radio Control
         3 – Communication Equipment Operator I
      e.3.b Anti-Smoke Belching
         3 – Traffic Aide I
      e.3.c Impounding
         3 – Watchman II
      e.3.d Towing
         2 – Driver II
         2 – Laborer I
      e.3.e Pay Parking/Anti-Jay Walking
         6 – Parking Aide I
         4 – Traffic Aide I
      e.3.f Motorola Inspection
         2 – Traffic Aide I

SECTION 197457. Functional Setup.- The Roads and Traffic Administration shall have the following Organizational Set-up and Corresponding Functions;

a] The Head of the Roads and Traffic Administration (RTA):
- To provide overall management and supervision of the whole bureau;
- To coordinate with other offices to ensure effective and efficient implementation of traffic management measures;
- To interpret and implement traffic management policies and to formulate plans and design standards;
- To review and submit for approval the annual budget of the bureau.

b] The Assistant Head of the RTA:
- To assist the Bureau Head in the overall management of the Bureau;
- To assist the Bureau Head in the formulation of traffic management policies/measures;
- To take charge of the Bureau in the absence of the Head of the Bureau; and
- To attend meetings in the absence of the Bureau Head.

c] The Engineering Section:
- To implement geometric improvement plans and construct minor civil works;
- To prepare, install signs, repair damaged poles, posts and barriers;
- To maintain and repair all traffic signal system facilities and structures;
- To maintain signs, markings on street parking areas and traffic areas and traffic islands;
- To establish procedures to ensure that maintenance programs are implemented safely and efficiently;
- To implement changes in the controller and systems data;
- To act as the custodian of the system’s software and other utility programs;
- To install traffic signals; and
- To monitor performance and make on the spot analysis of the system to ensure optimum operation of the signal system.

d] The Education Section:
- To conduct continuing education program; and
- To administer the dissemination of information regarding traffic updates.

e] The Enforcement Section:
- To enforce the City Ordinance, R.A. 4136 and other related traffic ordinances or law;
- To apprehend violators;
- To respond to accident reports in areas not assigned with traffic enforcers;
- To conduct field accident investigations; and
- To direct and control traffic.

f] The Traffic Data Sections:
- It shall keep records of all vehicles operating in the City which shall include the name of registered owners, users and addresses and other information relating to the physical identification of the motor vehicle;
- It shall cause the issuance of traffic citation tickets and penal summons to violators of any Ordinance and other ordinances relating to traffic rules and regulations; and
- It shall cause the filing of a complaint or information and secure the issuance of warrant of arrest against violators who fail and ignore Citation Tickets or Penal Summons.


g] The Non-Government Offices:
- The NGO’s will assist the Traffic Enforcement Section in implementing Rules and Regulations and assist the programs of the Traffic Education Section.
h] The Administrative Section:
- To perform general administrative functions on personnel transactions and responsible for the auxiliary activities such as clerical, janitorial, accounting, record and supply management and other related activities of the Bureau;
- To maintain proper accounting and budgeting of funds of expenditures; and
- To perform other related activities.

SECTION 198. Traffic Management Board. - There shall be created a Traffic Management Board which shall be composed of fifteen (15) members, including the RTA Head and the Assistant Head who shall be designated by the Honorable City Mayor. Membership of the Board shall consist of seven (7) persons selected by the City Mayor from the public and private sectors and eight (8) ex-officio members, namely:

1. Land Transportation Office, Regional Director, Region X
2. City Director PNP
3. District Commander, Traffic Management District, Region X
4. Representative, Sangguniang Panlungsod
5. Representative, Peace and Order Council
6. City Engineer
7. City Legal Counsel
8. LTRFB Director

Of the seven (7) selected members, at least one (1) member each will come from the public transport group, the Petroleum Dealers Association, the Mass Media, NGO’s and the concerned citizen’s group. The City Mayor is hereby granted the authority to designate additional members to the Board as he may deem proper.

SECTION 199. Functions of the Board. - The Board shall be vested with the power to formulate traffic plans and program; Provided, however, that all traffic plans and program that may be hereafter be drawn or prepared shall be submitted to the Sangguniang Panlungsod for approval.

The Board shall also have the following functions:

(i) Identify traffic bottleneck points and establish priorities in implementing remedial measures;
(ii) Formulate traffic engineering schemes, such as banning of turning movements, creation of one-way streets, prohibition of parking, designation of loading/unloading zones, installation of traffic signages, regulating speeds, and similar measures, in accordance with its approved priority list;
(iii) Secure agreement on proposed traffic schemes;
(iv) Recommend ordinances in support of traffic managements schemes;
(v) Review major property development proposals as to their traffic impact, especially those involving land use conversion from low to high-intensity traffic generation;
(vi) Provide technical inputs into the preparation and updating of the City’s Land Use Plan, particularly the long term road network plan of the city;
(vii) Update and analyze the public transport routes and services covering tricycles, buses, jeepneys, and other public transport modes;
(viii) Evaluate requests, in coordination with the City Planning Department, for variances from the zoning ordinance that are likely to have a significant traffic impact;
Formulate and advocate programs that will promote and encourage walking and trips by public transport and higher-capacity modes;

- Coordinate, monitor and evaluate the planning and implementation of the traffic management components undertaken by the Bureau;

- Recommend to the City Council the routing of common carriers operating in Cagayan de Oro City in so far as it forms part of a comprehensive traffic management schemes;

- Review and approve the annual work programs and budgets of the RTA;

- Develop and prescribe rules and procedures for internal operation and management;

- Submit to the Honorable City Mayor periodic and special reports relative to traffic management activities;

- The Board has the authority to summon persons/individuals or establishments in matters pertaining its functions; and

- The Board shall meet once a month or as often as necessary.

SECTION 200. Secretariat.- The Administrative Section of the RTA shall serve as the Secretariat of the Board.

SECTION 201. Traffic Enforcers Uniform.-

A. There shall be prescribed for traffic enforcers under the Roads and Traffic Administration a uniform of such design as follows:

- Cap - Black Pershing Cap with RTA Badge and Green band;
- Upper (polo) - Green in color with the new City Seal on the right sleeve, RTA seal on the left sleeve, “Traffic Enforcer” patch above the left pocket, RTA Badge above the said patch, and name tag above the right pocket.
- Lower (pants) - Black in color with green side piping and black belt;
- Shoes - Black

B. Traffic enforcers shall wear the prescribed uniform while on duty manning, directing and controlling the flow of traffic and enforcing traffic laws, ordinances, rules and regulations and/or holding office in the bureau or attending any public occasion where the wearing of uniform is enjoined by RTA authorities.

C. It shall be unlawful for any person who is not a member of RTA to wear such uniform whether posing as traffic enforcer or not along the streets or roads or merely seen in other public places.

SECTION 202. General Qualifications for the Employment of Traffic Enforcers:

A. As a matter of policy, the general qualifications for employment of traffic aides are hereby adopted, to wit:

- A citizen of the Philippines;
- A person of good moral conduct;
Of sound mind and body;

- Finished at least second year college or the equivalent of seventy-two (72) collegiate units or an equivalent training or experience;
- Have not been dishonorably discharge from military or police employment or dismissed for cause from any civilian position in the Government;
- Have not been convicted by final judgment of an offense or crime involving moral turpitude;
- At least one meter and sixty-two centimeters (1.62 m) in height for male and one meter and fifty-seven centimeters (1.57 m) for female;
- Weigh not more or less than five kilograms (5kg) of the standard weight corresponding to his/her height, age and sex;
- For a new applicant, must not be less than twenty-one (21) but not more than thirty (30) years of age; and
- Passed drug testing in LTO/DOH accredited drug testing centers.

B. There shall be no waiver on the minimum aforesaid qualifications. The same shall not also apply to Traffic Enforcers already employed prior to the approval of this Code.

SECTION 203. Oath of Office. - In addition to existing requirements imposed by the City Government and the Civil Service rules and regulations, no traffic enforcer shall be hired unless he/she faithfully executes an Oath of Office. The Roads and Traffic Administration Head is hereby tasked to prepare the Oath of Office, which shall contain the following phrases, among others:

I will love and serve GOD, my country and people;
I will uphold the Constitution and obey legal orders of the duly constituted authorities;
I will oblige myself to maintain a high standard of morality and professionalism;
I will respect the customs and traditions of the traffic enforcement service; and
I will live a decent and virtuous life to serve as an example to others.

ARTICLE XXIX
APPREHENSION PROCEDURES AND PENALTIES

SECTION 204. Procedure in apprehension. – The following procedures shall be observed in the apprehension of any person found violating the provisions of this Ordinance:

(a) Any person violating the provision of traffic rules and regulations shall be issued a Traffic Citation Ticket. In case of violation of the Traffic Code, a duly LTO deputized traffic enforcer shall confiscate the driver’s license and issue a Temporary Operator’s Permit (TOP) which shall serve as Temporary Driver’s License for five (5) days from date of issuance. All confiscated license and duplicate copy of Traffic Citation Ticket and TOP shall be turned over by the apprehending officer to the office of the Roads and Traffic Administration (RTA) within 24 hours from the time it was confiscated or issued.

(b) In the apprehension of drivers of motor vehicles, the traffic officer or deputized agent shall demand presentation of the driver’s license and/or the registration of the motor vehicle. The apprehending officer shall then indicate in the citation ticket the name and address of the driver, the license number and the issuing agency of the driver’s license, and when applicable, the name and address of the owner and registering agency of the vehicle, including the certificate of
(c) Should it come to the attention of the traffic enforcer that the driver of motor vehicle who has committed traffic violation is a recidivist or is under the influence of liquor or prohibited drugs; the apprehending officer shall request for police assistance in escorting to or detaining such driver at the office of the Roads and Traffic Administration or the nearest police precinct for verification.

(d) In case of business establishment found violating the provisions on traffic obstructions, the apprehending officer shall demand the presentation of Mayor’s Permit or in case of construction, the Building Permit; and indicate the name and address of the owner and the corresponding Mayor’s or Building Permit Number, the particular provision violated and furnish copy of said citation ticket. In the event, however, that the person found violating the provisions of this Ordinance is not engaged in any occupation or business requiring a permit, his name and correct address shall be ascertained and indicated in the citation ticket.

(e) In case of pedestrians found violating this Ordinance, they shall be taken to the nearest office of the Roads and Traffic Administration to pay the appropriate penalty.

(f) In case any motor vehicle without driver is found illegally parked, stopped or in violation of the provisions of this Ordinance, the officer finding the vehicle shall note down its plate number, model or type and any information displayed on the vehicle, which may identify its user, and shall conspicuously attach to the vehicle a summon for the driver or owner to answer the charge against him/her within three (3) days, during the hours and at a place specified in the summon. Failure of the driver or owner to appear shall be construed as waiver of his/her right to contest the citation and shall be liable for payment of the corresponding fines. If the driver or owner of such illegally parked motor vehicle will not turn up within one (1) hour from the time the traffic enforcer issued the summon, such vehicle shall be towed to the impounding area of the RTA Office or the towing services company/contractor, as the case maybe.

(g) In the event an apprehended driver or owner of vehicle decides to contest his/her violation or the apprehension, he/she may lodge a protest before the Traffic Management Board created hereof, which shall conduct investigation and hearing, and render decision thereof. The said Board shall also take jurisdiction on complaints against abusive traffic enforcers and cases of traffic enforcers accepting bribes or drivers offering bribes by conducting preliminary hearing of said cases and recommend appropriate administrative or criminal action to the City Legal Officer.

SECTION 205. When Complaint to be Issued - In the event the person who was issued citation ticket fails to pay the traffic fine stated in the citation ticket at the office of the Roads and Traffic Administration, or to not render community service in lieu of payment of administrative fine as provided under this Ordinance, within seventy-two (72) hours from time of issuance of the citation ticket, the Roads and Traffic Administration shall immediately file a complaint against such person before the courts.

Aside from filing of the appropriate action before the Court, the following administrative remedies for enforcement shall be undertaken;
For driving-related violations, the Roads and Traffic Administration shall communicate with the Land Transportation Office to hold in abeyance the renewal of driver’s license or vehicle registration until clearance has been obtained from the City;

For other violations, the Roads and Traffic Administration shall immediately request for cancellation of the permit and the issuance of closure order from the City Mayor. In the event that the owner of the thing or object causing the obstruction on the sidewalk or city streets could not be determined, the Roads and Traffic Administration shall cause its removal or impoundment.

Where the violator is not the driver, a written notice or citation to the offending party shall be issued by the deputized traffic enforcer.

SECTION 206. Fines and Penalties. - Any violation of the provisions of this Ordinance, or any of the acts or omissions enumerated in this Section which shall constitute violations of traffic rules and regulations in the City of Cagayan de Oro, shall be penalized with the following administrative fines:

<table>
<thead>
<tr>
<th>VIOLATIONS IN CONNECTION WITH LICENSES</th>
<th>1st Offense</th>
<th>2nd Offense</th>
<th>3rd &amp; Subsequent Offenses</th>
</tr>
</thead>
<tbody>
<tr>
<td>A student driver operating motor vehicle w/o being accompanied by a licensed driver</td>
<td>₱5,000</td>
<td>₱3,000</td>
<td>₱5,000</td>
</tr>
<tr>
<td>Allowing an unlicensed/ improperly licensed person to drive</td>
<td>1,500</td>
<td>3,000</td>
<td>5,000</td>
</tr>
<tr>
<td>Allowing another person to use his/her license</td>
<td>1,500</td>
<td>3,000</td>
<td>5,000</td>
</tr>
<tr>
<td>Driving with a delinquent, invalid, suspended, ineffectual or revoked license</td>
<td>1,500</td>
<td>3,000</td>
<td>5,000</td>
</tr>
<tr>
<td>Expired driver’s license</td>
<td>1,500</td>
<td>3,000</td>
<td>5,000</td>
</tr>
<tr>
<td>Driving without a license</td>
<td>1,500</td>
<td>3,000</td>
<td>5,000</td>
</tr>
<tr>
<td>Failure to carry driver’s license</td>
<td>1,500</td>
<td>3,000</td>
<td>5,000</td>
</tr>
<tr>
<td>Failure to show or surrender license</td>
<td>1,500</td>
<td>3,000</td>
<td>5,000</td>
</tr>
<tr>
<td>Failure to sign driver’s license</td>
<td>500</td>
<td>500</td>
<td>500</td>
</tr>
<tr>
<td>Fake or counterfeit license</td>
<td>1,500</td>
<td>3,000</td>
<td>5,000</td>
</tr>
<tr>
<td>Hiring a minor or unlicensed conductor</td>
<td>1,500</td>
<td>3,000</td>
<td>5,000</td>
</tr>
<tr>
<td>Using a motor vehicle in the commission of a crime</td>
<td>1,500</td>
<td>3,000</td>
<td>5,000</td>
</tr>
</tbody>
</table>

| VIOLATIONS IN CONNECTION WITH MOTOR VEHICLE REGISTRATION | |
| Certificate of registration and official receipt not carried | 500 | 500 | 500 |
| Operating/allowing the operation of a motor vehicle with a suspended/revoked certificate of registration | 1,500 | 3,000 | 5,000 |
| Tourist operating a non-Philippine registered vehicle beyond 90 day period | 1,500 | 1,500 | 1,500 |
| Unregistered/improperly registered/ delinquent or invalid registration | 1,500 | 3,000 | 5,000 |
## VIOLATIONS IN CONNECTION WITH PLATES AND STICKERS

<table>
<thead>
<tr>
<th>Violation</th>
<th>Penalty 1</th>
<th>Penalty 2</th>
<th>Penalty 3</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dirty or uncared for plates</td>
<td>500</td>
<td>500</td>
<td>500</td>
</tr>
<tr>
<td>Expired commemorative plates/stickers</td>
<td>500</td>
<td>500</td>
<td>500</td>
</tr>
<tr>
<td>If plates are made to appear as registered to operate as FOR HIRE</td>
<td>500</td>
<td>500</td>
<td>500</td>
</tr>
<tr>
<td>Illegal transfer and use of plates/tags or stickers in the commission of a crime</td>
<td>5,000</td>
<td>5,000</td>
<td>5,000</td>
</tr>
<tr>
<td>Illegal transfer of plates, tags, or stickers</td>
<td>1,500</td>
<td>3,000</td>
<td>5,000</td>
</tr>
<tr>
<td>Illegal use of commemorative plates without proper authority</td>
<td>1,000</td>
<td>1,000</td>
<td>1,000</td>
</tr>
<tr>
<td>Inconspicuously displayed plates</td>
<td>500</td>
<td>500</td>
<td>500</td>
</tr>
<tr>
<td>License plate different from body number on for-hire vehicle</td>
<td>1,500</td>
<td>3,000</td>
<td>5,000</td>
</tr>
<tr>
<td>No sticker</td>
<td>500</td>
<td>500</td>
<td>500</td>
</tr>
<tr>
<td>No sticker showing the correct year</td>
<td>500</td>
<td>500</td>
<td>500</td>
</tr>
<tr>
<td>Plates not firmly attached and visible</td>
<td>500</td>
<td>500</td>
<td>500</td>
</tr>
<tr>
<td>Removing permanent plates to accommodate commemorative plates</td>
<td>500</td>
<td>500</td>
<td>500</td>
</tr>
<tr>
<td>Tampered/marked plate or stickers</td>
<td>500</td>
<td>500</td>
<td>500</td>
</tr>
<tr>
<td>Unauthorized or improvised number plates</td>
<td>500</td>
<td>500</td>
<td>500</td>
</tr>
<tr>
<td>Use of Expired Commemorative License Plates, etc.</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

## VIOLATIONS RELATIVE TO MOTOR VEHICLE PARTS, ACCESSORIES, MARKINGS

<table>
<thead>
<tr>
<th>Violation</th>
<th>Penalty 1</th>
<th>Penalty 2</th>
<th>Penalty 3</th>
</tr>
</thead>
<tbody>
<tr>
<td>Defective brakes</td>
<td>1,500</td>
<td>3,000</td>
<td>5,000</td>
</tr>
<tr>
<td>Defective handbrakes</td>
<td>500</td>
<td>500</td>
<td>500</td>
</tr>
<tr>
<td>Defective horn or signaling device</td>
<td>500</td>
<td>500</td>
<td>500</td>
</tr>
<tr>
<td>Defective or broken windshield</td>
<td>500</td>
<td>500</td>
<td>500</td>
</tr>
<tr>
<td>Dirty and unsightly or dilapidated motor vehicle</td>
<td>500</td>
<td>500</td>
<td>500</td>
</tr>
<tr>
<td>Failure to install EWD 4 meters away to the front and back of stalled vehicle</td>
<td>500</td>
<td>500</td>
<td>500</td>
</tr>
<tr>
<td>Failure to paint or improper painting of authorized route (jeepneys)</td>
<td>500</td>
<td>500</td>
<td>500</td>
</tr>
<tr>
<td>Failure to put &quot;NOT FOR HIRE&quot; sign on jeepney/jitney not operated FOR HIRE</td>
<td>500</td>
<td>500</td>
<td>500</td>
</tr>
<tr>
<td>Glaring front or rear body parts and/or sporting dazzling accessories</td>
<td>500</td>
<td>500</td>
<td>500</td>
</tr>
<tr>
<td>Improper horn or signaling device (exceptionally loud, startling, or disagreeable)</td>
<td>500</td>
<td>500</td>
<td>500</td>
</tr>
<tr>
<td>No brake (stop) lights</td>
<td>1,500</td>
<td>3,000</td>
<td>5,000</td>
</tr>
<tr>
<td>No Early Warning Device</td>
<td>500</td>
<td>500</td>
<td>500</td>
</tr>
<tr>
<td>No handbrakes</td>
<td>500</td>
<td>500</td>
<td>500</td>
</tr>
<tr>
<td>No interior lights or using dim interior lights</td>
<td>500</td>
<td>500</td>
<td>500</td>
</tr>
<tr>
<td>No license plate lights</td>
<td>500</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### Violations Relative to For-Hire Motor Vehicle

<table>
<thead>
<tr>
<th>Violation</th>
<th>Penalty</th>
</tr>
</thead>
<tbody>
<tr>
<td>Defective Equipment (not roadworthy)</td>
<td>500</td>
</tr>
<tr>
<td>Failure to post signage instructing passengers of public motor vehicles</td>
<td>600</td>
</tr>
<tr>
<td>Operating vehicle with tinted front side glass windows and windshield</td>
<td>1,500</td>
</tr>
<tr>
<td>Unauthorized change of color or configuration</td>
<td>1,500</td>
</tr>
<tr>
<td>Unlawful use or attachment of siren/bell/horn/whistle/gadget</td>
<td>500</td>
</tr>
<tr>
<td>Operating vehicle with unprescribed mudguard</td>
<td>500</td>
</tr>
<tr>
<td>Operation of vehicles with right-hand steering wheel</td>
<td>1,500</td>
</tr>
<tr>
<td>No red rear lights</td>
<td>500</td>
</tr>
<tr>
<td>Operating outside authorized route</td>
<td>1,500</td>
</tr>
<tr>
<td>No red rear lights</td>
<td>500</td>
</tr>
<tr>
<td>Unregistered substitute or replacement engine</td>
<td>500</td>
</tr>
<tr>
<td>No red rear lights</td>
<td>500</td>
</tr>
<tr>
<td>No or defective headlights</td>
<td>1,500</td>
</tr>
<tr>
<td>No or defective speedometer</td>
<td>500</td>
</tr>
<tr>
<td>No or defective windshield wipers</td>
<td>500</td>
</tr>
<tr>
<td>No or disconnected muffler or muffler emitting exceptionally loud noise</td>
<td>1,000</td>
</tr>
<tr>
<td>No or defective taillights</td>
<td>1,500</td>
</tr>
<tr>
<td>No non-mirrored taillights</td>
<td>500</td>
</tr>
<tr>
<td>No non-mirrored taillights</td>
<td>500</td>
</tr>
<tr>
<td>Operating with tinted front side glass windows</td>
<td>1,500</td>
</tr>
<tr>
<td>Operating outside authorized route</td>
<td>1,500</td>
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<tr>
<td>Operating outside authorized route</td>
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<td>Operating outside authorized route</td>
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<td>Operating outside authorized route</td>
<td>1,500</td>
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<tr>
<td>Operating without Mayor's Permit</td>
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<tr>
<td>Operating without Mayor's Permit</td>
<td>1,000</td>
</tr>
</tbody>
</table>
Use of slippers or sleeveless shirts when driving a FOR HIRE vehicle .................................................. 500 500 500  

**WEIGHTS AND LOAD LIMITS**

<table>
<thead>
<tr>
<th>Violation Description</th>
<th>Penalty</th>
<th>Penalty</th>
<th>Penalty</th>
</tr>
</thead>
<tbody>
<tr>
<td>Allowing load in excess of its carrying capacity ..................................................</td>
<td>500</td>
<td>500</td>
<td>500</td>
</tr>
<tr>
<td>Baggage/freight carried on top of truck exceeds 20 kgs/sqm and not distributed properly</td>
<td>500</td>
<td>500</td>
<td>500</td>
</tr>
<tr>
<td>Load extended beyond projected width without permit .............................................</td>
<td>500</td>
<td>500</td>
<td>500</td>
</tr>
<tr>
<td>Operating a vehicle in excess of limits ...................................................................</td>
<td>500</td>
<td>500</td>
<td>500</td>
</tr>
<tr>
<td>Overloading ...........................................................................................................</td>
<td>500</td>
<td>500</td>
<td>500</td>
</tr>
<tr>
<td>Total weight of cargo carrying device or passenger truck in excess of 100 kilos ......</td>
<td>500</td>
<td>500</td>
<td>500</td>
</tr>
<tr>
<td>Unsafe load .............................................................................................................</td>
<td>500</td>
<td>500</td>
<td>500</td>
</tr>
<tr>
<td>Loads not properly secured .....................................................................................</td>
<td>500</td>
<td>500</td>
<td>500</td>
</tr>
<tr>
<td>No permit to move equipment and/or load of excessive weight, width or height ..........</td>
<td>1,500</td>
<td>3,000</td>
<td>5,000</td>
</tr>
</tbody>
</table>

**PROHIBITED OR ILLEGAL OPERATION**

<table>
<thead>
<tr>
<th>Violation Description</th>
<th>Penalty</th>
<th>Penalty</th>
<th>Penalty</th>
</tr>
</thead>
<tbody>
<tr>
<td>Colorum operation ..................................................................................................</td>
<td>1,500</td>
<td>3,000</td>
<td>5,000</td>
</tr>
<tr>
<td>Colorum operation or private use despite suspended CR ........................................</td>
<td>1,500</td>
<td>3,000</td>
<td>5,000</td>
</tr>
</tbody>
</table>

**BREACH OF CONDITION OF FRANCHISE & RELATED VIOLATIONS**

<table>
<thead>
<tr>
<th>Violation Description</th>
<th>Penalty</th>
<th>Penalty</th>
<th>Penalty</th>
</tr>
</thead>
<tbody>
<tr>
<td>Breach of franchise conditions ................................................................................</td>
<td>1,000</td>
<td>1,000</td>
<td>1,000</td>
</tr>
<tr>
<td>Employing insolent, discourteous or arrogant drivers or conductors ........................</td>
<td>1,500</td>
<td>3,000</td>
<td>5,000</td>
</tr>
<tr>
<td>Fare Overcharging ....................................................................................................</td>
<td>1,000</td>
<td>1,000</td>
<td>1,000</td>
</tr>
<tr>
<td>No franchise/certificate of public conveyance or evidence of franchise in the motor vehicle</td>
<td>1,000</td>
<td>1,000</td>
<td>1,000</td>
</tr>
<tr>
<td>Contracting Services ...............................................................................................</td>
<td>1,000</td>
<td>3,000</td>
<td>5,000</td>
</tr>
<tr>
<td>Violation</td>
<td>750 [Conduct or-P375]</td>
<td>750 [Conduct or-P375]</td>
<td>750 [Conduct or-P375]</td>
</tr>
<tr>
<td>--------------------------------------------------------------------------</td>
<td>------------------------</td>
<td>------------------------</td>
<td>------------------------</td>
</tr>
<tr>
<td>Non issuance of fare ticket on bus</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Refusal to convey passengers to proper destination (trip cutting)</td>
<td>1,500</td>
<td>3,000</td>
<td>5,000</td>
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<tr>
<td>Refusal to render service to the public</td>
<td>1,500</td>
<td>3,000</td>
<td>5,000</td>
</tr>
<tr>
<td>Unauthorized commercial or business name, allowing another</td>
<td>500</td>
<td>500</td>
<td>500</td>
</tr>
<tr>
<td>undue preference or unjust discrimination</td>
<td>1,500</td>
<td>3,000</td>
<td>5,000</td>
</tr>
<tr>
<td>No fare matrix displayed</td>
<td>500</td>
<td>1,000</td>
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</tbody>
</table>

**PARKING VIOLATIONS**

<table>
<thead>
<tr>
<th>Violation</th>
<th>1,500</th>
<th>3,000</th>
<th>5,000</th>
</tr>
</thead>
<tbody>
<tr>
<td>Double parking</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Overnight parking (6:00 PM-5:00 AM) on road, road shoulder, sidewalk not</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>designated as overnight pay parking zone, of cargo trucks or tractor</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>trailers of six-wheel and up</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Parking at any place where official NO PARKING signs are posted</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Parking in front of a private driveway</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Parking on a crosswalk</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Parking on the sidewalk</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Parking within 4 meters of a fire hydrant</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Parking of 4 meters of the driveway entrance to any fire station</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Parking within 6 meters of the intersection of curb lines</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Parking within an intersection</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**TAXI UNIT VIOLATIONS**

<table>
<thead>
<tr>
<th>Violation</th>
<th>3,000 [Driver-P2500]</th>
<th>4,000 [Driver-P2000]</th>
<th>5,000 [Driver-P2500]</th>
</tr>
</thead>
<tbody>
<tr>
<td>Failure of owner/operator to paint his name and address on the unit</td>
<td>500</td>
<td>500</td>
<td>500</td>
</tr>
<tr>
<td>inside and/or outside the taxi</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Failure to paint AIRCON on taxi unit</td>
<td>500</td>
<td>500</td>
<td>500</td>
</tr>
<tr>
<td>Failure to provide clean seat covers</td>
<td>500</td>
<td>500</td>
<td>500</td>
</tr>
<tr>
<td>Failure to provide light on taximeter</td>
<td>500</td>
<td>500</td>
<td>500</td>
</tr>
<tr>
<td>Failure to provide top light indicating availability</td>
<td>500</td>
<td>500</td>
<td>500</td>
</tr>
<tr>
<td>Fast, tampered, defective, or no operating taximeters</td>
<td>500</td>
<td>500</td>
<td>500</td>
</tr>
<tr>
<td>Flagged up taxi meter/Operating on contractual basis</td>
<td>1,500</td>
<td>3,000</td>
<td>5,000</td>
</tr>
<tr>
<td>Loose triplex seal</td>
<td>500</td>
<td>500</td>
<td>500</td>
</tr>
</tbody>
</table>
### Prohibited Acts

<table>
<thead>
<tr>
<th>Violation</th>
<th>Fine 1</th>
<th>Fine 2</th>
<th>Fine 3</th>
</tr>
</thead>
<tbody>
<tr>
<td>No air-conditioning unit</td>
<td>500</td>
<td>500</td>
<td>500</td>
</tr>
<tr>
<td>No body number</td>
<td>500</td>
<td>500</td>
<td>500</td>
</tr>
<tr>
<td>No taxi driver's uniform</td>
<td>500</td>
<td>500</td>
<td>500</td>
</tr>
<tr>
<td>No taximeter</td>
<td>1,500</td>
<td>3,000</td>
<td>5,000</td>
</tr>
<tr>
<td>Unauthorized wire</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Failure to give proper turn/stop signals</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Failure to dim headlights</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Failure to come to a complete stop on a through highway or railroad crossing</td>
<td>1,500</td>
<td>3,000</td>
<td>5,000</td>
</tr>
<tr>
<td>Failure to come to a complete stop on a through street or intersection</td>
<td>1,500</td>
<td>3,000</td>
<td>5,000</td>
</tr>
<tr>
<td>Failure to give proper turn/stop signals</td>
<td>1,500</td>
<td>3,000</td>
<td>5,000</td>
</tr>
<tr>
<td>Failure to render service to the public/convey passenger to destination</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Refusal to render service to the public/convey passenger to destination</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tampered, broken, joined, reconnected, fake or altered sealing wire</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Unregistered or unauthorized trade/business name</td>
<td>500</td>
<td>500</td>
<td>500</td>
</tr>
<tr>
<td>Unregular or unauthorized use</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Violation of color scheme/Adoption of new color design w/o authority</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>OTHER VIOLATIONS:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Allowing a passenger to ride on top or on the cover of a vehicle</td>
<td>500</td>
<td>500</td>
<td>500</td>
</tr>
<tr>
<td>Arrogance or discourtesy</td>
<td>1,500</td>
<td>3,000</td>
<td>5,000</td>
</tr>
<tr>
<td>Blocking an intersection or free turn right lane</td>
<td>1,500</td>
<td>3,000</td>
<td>5,000</td>
</tr>
<tr>
<td>Cutting an overtaken vehicle</td>
<td>1,500</td>
<td>3,000</td>
<td>5,000</td>
</tr>
<tr>
<td>Disregarding traffic officer</td>
<td>1,500</td>
<td>3,000</td>
<td>5,000</td>
</tr>
<tr>
<td>Disregarding traffic signs</td>
<td>1,500</td>
<td>3,000</td>
<td>5,000</td>
</tr>
<tr>
<td>Disregarding traffic control signals</td>
<td>1,500</td>
<td>1,500</td>
<td>1,500</td>
</tr>
<tr>
<td>Driver operating motor vehicle without turning on headlights during night time</td>
<td>1,500</td>
<td>3,000</td>
<td>5,000</td>
</tr>
<tr>
<td>Driving against traffic</td>
<td>1,500</td>
<td>3,000</td>
<td>5,000</td>
</tr>
<tr>
<td>Driving or parking in a place not designed for parking/driving (i.e. sidewalks, alleys, etc.)</td>
<td>1,500</td>
<td>3,000</td>
<td>5,000</td>
</tr>
<tr>
<td>Driving while under the influence of liquor or prohibited drugs</td>
<td>1,500</td>
<td>3,000</td>
<td>5,000</td>
</tr>
<tr>
<td>Failure to come to a complete stop on a through highway or stop intersection</td>
<td>1,500</td>
<td>3,000</td>
<td>5,000</td>
</tr>
<tr>
<td>Failure to come to a complete stop on a through street or railroad crossing</td>
<td>1,500</td>
<td>3,000</td>
<td>5,000</td>
</tr>
<tr>
<td>Failure to dim headlights</td>
<td>500</td>
<td>500</td>
<td>500</td>
</tr>
<tr>
<td>Failure to give proper turn/stop signals</td>
<td>1,500</td>
<td>3,000</td>
<td>5,000</td>
</tr>
<tr>
<td>Violation</td>
<td>Fines</td>
<td></td>
<td></td>
</tr>
<tr>
<td>--------------------------------------------------------------------------</td>
<td>---------</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Failure to give way to an overtaking vehicle</td>
<td>1,500</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Failure to give way to police, fire department vehicles or ambulances</td>
<td>1,500</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Failure to stop motor vehicle and apply handbrake when left unattended</td>
<td>1,500</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Failure to wear the prescribed seat belt devices and/or failure to require passengers to wear prescribed seat belt</td>
<td>1,500</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Failure to yield right of way (same time rule)</td>
<td>1,500</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Failure to yield to pedestrians at a crosswalk</td>
<td>1,500</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Failure to yield to the right of way (first at intersection rule)</td>
<td>1,500</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Failure to yield to the right of way coming from a private road or driveway</td>
<td>1,500</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hitching-permitting any person to hang onto or ride on the outside of a vehicle such as a person on a bicycle/ skateboard/ roller skates</td>
<td>500</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Illegal left turn</td>
<td>1,500</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Illegal overtaking</td>
<td>1,500</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Illegal right turn</td>
<td>1,500</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Illegal turn</td>
<td>1,500</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Increasing speed when being overtaken before the overtaking vehicle has completely passed</td>
<td>1,500</td>
<td></td>
<td></td>
</tr>
<tr>
<td>No canvass cover on sand and gravel cargoes of trucks</td>
<td>1,500</td>
<td></td>
<td></td>
</tr>
<tr>
<td>No helmet when driving or riding a motorcycle</td>
<td>500</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Obstruction to traffic</td>
<td>1,500</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Operating truck during truck ban</td>
<td>500</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Over speeding</td>
<td>1,500</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Overtaking at a railway grade crossing</td>
<td>1,500</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Overtaking at an unsafe distance</td>
<td>1,500</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Overtaking between MEN WORKING or CAUTION signs</td>
<td>1,500</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Overtaking in a NO OVERTAKING zone</td>
<td>1,500</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Overtaking in an intersection</td>
<td>1,500</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Overtaking on a crest of a grade</td>
<td>1,500</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Overtaking on a curve</td>
<td>1,500</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Overtaking when left side is not visible or clear of incoming traffic</td>
<td>1,500</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Permitting a passenger to ride on the running board, step board, or mudguard of a vehicle</td>
<td>1,500</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Reckless driving</td>
<td>1,500</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Smoke Belching</td>
<td>1,000</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Smoking inside a public utility vehicle (driver or passenger)</td>
<td>1,500</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

- Keeping as Far Right as Practicable
- Use of Center Lanes of Three Lanes Thoroughfares
- Passing vehicles
### Violation of Traffic Rules

- Giving way to Overtaking Vehicles
- Drivers not to Obstruct Traffic
- Driving in Lanes on Thoroughfares
- Driving through Roundabouts and Rotondas
- Keeping Right of Double Yellow Lanes
- Driving in Bicycle Lanes
- Driving in Reserved Lanes
- Driving Over a Yellow Box
- Driving tricycle/motorola in national road .................................................. 500 500 500
- Driving through Funerals or other processions ............................................... 500 500 500
- Erection or Interference with Traffic Control Signals ...................................... 500 1,000 1,500
- Following fire truck and emergency vehicles when its siren is on .................... 500 500 500
- Improper riding of bicycle or tricycle ............................................................. 500 500 500
- Improper opening of doors and alighting from vehicles ............................... 500 500 500
- “Kabit System” ................................................................................................. 500 500 500
- Not giving way during turns ............................................................................. 500 500 500
- Not giving way to or from parked vehicles .................................................... 500 500 500
- Not giving way to vehicles while leaving or entering a road ......................... 500 500 500
- Not Giving Way at Roundabout in Rotundas .................................................. 500 500 500
- Violation of Speed Limits/Over speeding ....................................................... 500 500 500
- Drag Racing/Speed Contest ............................................................................ 1,500 3,000 5,000
- Violation Of Rule On One-Way Street ........................................................... 500 500 500
- Failure to use or stop the use of Turn and Stop Signals ................................... 500 500 500
- Violation of No U-Turns .................................................................................. 500 500 500
- Prohibited Parking, Waiting, Loading or Unloading ....................................... 500 500 500
- Non-payment of parking fees ....................................................................... 500 1,500 2,000
- No Holding handle bar .................................................................................... 500 500 500
- Non-compliance with WRP ........................................................................... 500 500 500
- No designated seats for disabled persons ...................................................... 500 1,500 3,000
- No IDs displayed ............................................................................................. 500 500 500
- Operating Animal Drawn Carriages, Bicycles and Tricycles without License .................................................. 500 1,000 2,000
- Overloading of passengers of bicycles and tricycles ..................................... 500 500 500
- Out of service area (tricycle, pedicab, trisikad, motorela) ............................ 500 500 500
- Obstructing Drivers View or Mechanism ...................................................... 500 500 500
- Obstructing Roads by Motor Vehicles, and Vendors Stalled Vehicles .......................... 500 500 500
- Parking and Waiting in Prohibited Areas ..................................................... 500 500 500
- Parking Near Grade or Curve ........................................................................ 500 500 500
- Parking on Parade Routes and on Any Special Occasion ................................ 500 500 500
- Parking for Certain Prohibited Purposes ....................................................... 500 500 500
- Parking in front of Residential or of Commercial Establishment .......................... 500 500 500
### Violations and Administrative Fines

<table>
<thead>
<tr>
<th>Violation Description</th>
<th>Fine 1</th>
<th>Fine 2</th>
<th>Fine 3</th>
</tr>
</thead>
<tbody>
<tr>
<td>Putting Glass, Sharp Objects on Highway</td>
<td>1,500</td>
<td>3,000</td>
<td>5,000</td>
</tr>
<tr>
<td>Riding Bicycle and Tricycle Without Regular and Permanent Seat</td>
<td>500</td>
<td>500</td>
<td>500</td>
</tr>
<tr>
<td>Restrictions on Some Roads</td>
<td>500</td>
<td>500</td>
<td>500</td>
</tr>
<tr>
<td>Riding Bicycle More than Two Abreast</td>
<td>500</td>
<td>500</td>
<td>500</td>
</tr>
<tr>
<td>Refusals to Have Vehicles Weighed and/or Remove Excess Load</td>
<td>500</td>
<td>500</td>
<td>500</td>
</tr>
<tr>
<td>Road Unworthiness of Motor Vehicles</td>
<td>500</td>
<td>500</td>
<td>500</td>
</tr>
<tr>
<td>Street Diggings of Road Closure Without Permit</td>
<td>500</td>
<td>500</td>
<td>500</td>
</tr>
<tr>
<td>Towing of Bicycles</td>
<td>500</td>
<td>500</td>
<td>500</td>
</tr>
<tr>
<td>Unregistered Motor Vehicle</td>
<td>500</td>
<td>500</td>
<td>500</td>
</tr>
<tr>
<td>Use, Posting or Display of Fake Unauthorized IDs, Stickers, etc.</td>
<td>500</td>
<td>500</td>
<td>500</td>
</tr>
<tr>
<td>Use of Signaling Devices</td>
<td>500</td>
<td>500</td>
<td>500</td>
</tr>
<tr>
<td>Unauthorized Installation/Use of Jalousies, Additional Air-con, Dim-colored Lights, etc.</td>
<td>500</td>
<td>500</td>
<td>500</td>
</tr>
<tr>
<td>Tracking Mud Unto the Highway</td>
<td>500</td>
<td>500</td>
<td>500</td>
</tr>
<tr>
<td>Violation of No Entry Sign</td>
<td>500</td>
<td>500</td>
<td>500</td>
</tr>
<tr>
<td>Violation of Bridge Load Limit</td>
<td>500</td>
<td>500</td>
<td>500</td>
</tr>
<tr>
<td>Violation of Keep Right, Keep Left Sign</td>
<td>500</td>
<td>500</td>
<td>500</td>
</tr>
<tr>
<td>Violation of Stop Sign</td>
<td>500</td>
<td>500</td>
<td>500</td>
</tr>
<tr>
<td>Violation of Give Way/Yield Sign</td>
<td>500</td>
<td>500</td>
<td>500</td>
</tr>
<tr>
<td>Violation of Procedures Involving Traffic Accidents</td>
<td>500</td>
<td>500</td>
<td>500</td>
</tr>
<tr>
<td>Violation or Non-compliance with any Section or Article, regarding Lighting, Warning Signs, Equipment</td>
<td>500</td>
<td>500</td>
<td>500</td>
</tr>
<tr>
<td>Violation of Bridge Load Limit or in the Use of Bridge</td>
<td>500</td>
<td>500</td>
<td>500</td>
</tr>
<tr>
<td>Violation of Speed Limit on Wooden Bridge</td>
<td>500</td>
<td>500</td>
<td>500</td>
</tr>
<tr>
<td>Violation of License Restriction</td>
<td>500</td>
<td>500</td>
<td>500</td>
</tr>
<tr>
<td>Violating Pedestrian Crossing</td>
<td>500</td>
<td>500</td>
<td>500</td>
</tr>
<tr>
<td>Violating Restrictions on Pedestrian</td>
<td>500</td>
<td>500</td>
<td>500</td>
</tr>
<tr>
<td>Violating Restrictions on Animals and Livestock</td>
<td>500</td>
<td>500</td>
<td>500</td>
</tr>
</tbody>
</table>

### SECTION 207207. Community Service

In case a driver of a motor vehicle apprehended for traffic violations could not pay the administrative fine imposed under this Ordinance, he/she may opt to render community service in lieu of paying the administrative fine at the rate equivalent to eight hours per Five Hundred Pesos (₱500.00) worth of administrative fine. The community service for apprehended traffic violators shall include collection of garbage, cleaning of streets and graffiti, declogging of canals and drains, and other tasks relative to the beautification and clean and green program of the city. At the discretion of the head of the Roads and Traffic Administration, a traffic violator who opt to render community service maybe allowed to serve his/her penalty by doing traffic enforcement; Provided, that his/her required community service is not less than six (6) days; Provided further, that he/she shall undergo a two-day seminar on traffic enforcement or management to be offset on his required period of community service; Provided finally, that he/she shall possess the educational and other qualifications of a traffic enforcer.
Within seventy-two (72) hours from apprehension, the driver of a motor vehicle apprehended for traffic violations who opt to render community service in lieu of paying the administrative fine shall report to the head of the Roads and Traffic Administration who shall immediately compute and reflect in a prescribed community service form the required number of hours of community service. The said form shall be duly signed by the RTA head and the apprehended driver. The RTA shall accompany and entrust the said driver together with the community service form to the City Public Services Officer who shall determine the nature of the required community service as mentioned herein, the location and the specific date and hour when he/she will commence doing community service, which shall be within twenty-four (24) hours from the time he/she reported to the RTA.

After the apprehended driver completed the required community service, the City Public Services Officer or the RTA, in case the required community service is traffic enforcement, shall issue a certification to this effect. The said Certification shall be submitted to the RTA to form part of the record of violations of the said driver.

SECTION 208. Recidivists. – In case of drivers of motor vehicles who have committed at least three (3) traffic violations of the same nature, the Roads and Traffic Administration shall recommend to the Land Transportation Office for the suspension or cancellation of their driver’s license.

In case of drivers of public utility vehicles who have committed at least three (3) traffic violations of the same nature, in addition to recommending the cancellation or suspension of their driver’s license, the Roads and Traffic Administration shall recommend to the Land Transportation Franchising and Regulatory Board for suspension or cancellation of the franchise of the operator of their units being driven. In addition, no Mayor’s Permit as required under Section 77, as amended, of the 2003 Revenue Code shall be issued for the operation of such vehicle in the City.

SECTION 209. Judicial Penalty. – In the event the person who was issued citation ticket fails to pay the traffic fine stated in the citation ticket at the office of the Roads and Traffic Administration, or to not render community service in lieu of payment of administrative fine as provided under this Ordinance, within seventy-two (72) hours from time of issuance of the citation ticket, the Roads and Traffic Administration shall immediately file a complaint against such person before the courts, and if found guilty of the offenses shall be penalized with a fine of not less than P3,000.00 but not more than P5,000.00 or imprisonment of not less than eight (8) months but not more than one (1) year, or both such fine and imprisonment at the discretion of the court.

SECTION 210. Apportioning or Sharing of the Proceeds of Administrative/Judicial Fine:

(A) The proceeds of the administrative fines collected from or paid by violators of the city’s traffic rules and regulations who opted to settle their violation administratively during the reglementary period of 72 hours from the time of arrest, shall be apportioned as follows:

(a) Fifty percent (50%) of the fine paid by the offender shall accrue to the general fund of the City government;
(b) In case the arrest was made by a city policeman, fifty percent (50%) shall accrue to the Cagayan de Oro City Police Office, as the city’s financial support thereto for its operational funds to special activities/operations, honorarium, and for the acquisition of equipments, supplies, repair of police vehicles, improvement of police buildings, for schooling/training of its members and for medical assistance to policemen wounded while on duty, among others.
(c) In case the arrest was made by a member of the Barangay Police, elected barangay official, RTA enforcer and deputized private individual traffic enforcer, twenty percent (20%) shall be given to the arresting person, and thirty percent (30%) shall accrue to the Barangay where he/she resides or is member of its Barangay Police, the RTA, or to the private traffic organization or association, as the case maybe.

(B) The proceeds of judicial fines collected from or paid by violators of the city’s traffic rules and regulations shall be apportioned as follows:

(a) Fifty percent (50%) of the fine paid by the offender shall accrue to the general fund of the City government;

(b) Twenty percent (20%) shall accrue to the Office of the Municipal Trial Court in Cities, Cagayan de Oro City, as the city’s financial support for its operations.

(c) In case the arrest was made by a city policeman, forty percent (40%) shall accrue to the Cagayan de Oro City Police Office, as the city’s financial support for its operational funds to special activities/operations, honorarium, and for the acquisition of equipment, repair of police vehicles, improvement of police buildings, for schooling/training of its members and for medical assistance to policemen wounded while on duty, among others.

(d) In case the arrest was made by a member of the Barangay Police, elected barangay official, RTA enforcer and deputized private individual traffic enforcer, twenty percent (20%) shall be given to the arresting person, and twenty percent (20%) shall accrue to the Barangay where he/she resides or is member of its Barangay Police, the RTA, or the private traffic organization or association, as the case maybe.

ARTICLE XXX

FINAL PROVISIONS

SECTION 21121. Miscellaneous. – Notwithstanding the provisions of this Code, other existing Ordinances and laws to the contrary, the City Mayor is hereby given full power and authority to issue Executive Orders, rules and regulations appurtenants hereto, with the end in view of making this Ordinance truly reflective of the ideals of good governance, especially in regulating the use and enjoyment of city streets.

The provisions of Department Order No. 96-693 issued by the DOTC covering the Revised Schedule of Administrative fees and charges of the Land Transportation Office (LTO) that are not inconsistent herewith are hereby adopted.

SECTION 21221. Separability Clause.- If for any reason, any section or provision of this Ordinance is declared illegal or unconstitutional, other sections or provisions hereof, which are not affected thereby shall continue to be in full force and effect.

SECTION 21223. Repealing Clause.- All previous issuances, ordinances, rules and regulations or parts thereof, which are inconsistent or in conflict with the provisions of this Code are hereby repealed or modified accordingly.
SECTION 214 Effectivity Clause. – This Ordinance shall take effect after fifteen (15) days following its approval and publication.

UNANIMOUSLY APPROVED.

Present:
- Councilor Juan Y. Sia, Co-Author
- Councilor Annie Y. Daba
- Councilor Edgar S. Cabanlas
- Councilor Ian Mark Q. Nacaya, Author
- Councilor Alfonso C. Goking
- Councilor Jose Benjamin A. Benaldo
- Councilor Reynaldo N. Advincula
- Councilor Caesar Ian E. Acenas
- Councilor Maryanne C. Enteria
- Councilor Alvin R. Calingin
- Councilor Simeon V. Licayan, Co-Author
- Councilor Zaldy O. Ocon
- Councilor Jerico Goldmar P. Ebabacol
- Councilor Alexander S. Dacer

DONE in the City of Cagayan de Oro this 19TH day of March 2007.

I hereby certify to the correctness of the aforesaid Ordinance.

ARTURO S. DE SAN MIGUEL
CITY SECRETARY

Attested as duly enacted:

MICHELLE T. SPIERS
CITY VICE MAYOR
PRESIDING OFFICER

Approved:

VICENTE Y. EMANO
CITY MAYOR
Attested:

MARY JANE L. BUTASLAC
ASSISTANT CITY BUDGET OFFICER