



Republic of the Philippines
QUEZON CITY COUNCIL

Quezon City
19th City Council

PO19CC-319

47th Regular Session

ORDINANCE NO. SP- 2373, S-2014

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

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

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

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

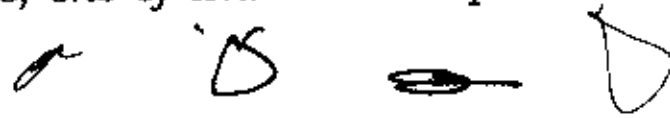
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WHEREAS, Section 16 of Republic Act (R.A) No. 7160, otherwise known as the Local Government Code of 1991, provides that: "Every local government unit shall exercise the powers expressly granted, those necessarily implied therefrom, as well as powers necessary, appropriate or incidental for its efficient and effective governance, and those which are essential to the promotion of the general welfare. Within their respective territorial jurisdictions, local government units shall ensure and support among other things x x x preserve the comfort and convenience of their inhabitants";

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

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

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

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NOW, THEREFORE,

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

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

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

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

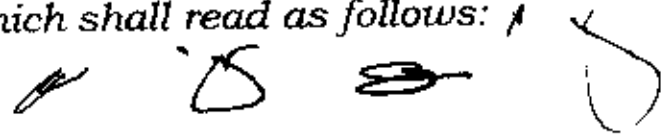
Red light cameras shall be installed in strategic locations. Red light cameras shall operate twenty-four (24) hours a day and shall be activated and connected to traffic signals and enable it to capture images of vehicles crossing a yellow box or abutting a pedestrian lane. Provided, however, that the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

- a. Red light cameras shall conform to internationally-accepted standards, such as those with proven and tested capabilities in the United States of America, Canada, Australia, Europe and other Asian countries.
- b. The system shall continuously monitor the traffic signal and the red light camera shall be triggered by any vehicle entering a yellow box, an intersection or a pedestrian lane after the traffic signal turns red.

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

APPENDIX VI – Schedule of Fines and Penalties

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

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

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(i). Rules in PUV and Taxi Stands

- (i). PUVs must stop only at designated PUV Stops/Stations as indicated by lawful signs and only within a reasonable time by which passengers are able to alight or board. For this purpose, the reasonable time referred herein shall not exceed 15 seconds from the time a PUV stops within the designated loading/unloading zone.
- (ii). PUVs are prohibited from stopping at designated PUV stops that are empty and when no passenger on board is requesting for a stop.
- (iii). Where a taxi stand is installed and whenever passenger(s) in it is/are waiting for a ride, empty taxis are prohibited from by-passing said taxi stand unless said passenger(s) convey(s) desire not to board the taxi.
- (iv). Passengers of PUVs are required to observe proper queuing within the PUV Station/Taxi Stand. PUV drivers shall board the passenger ahead of the queue.
- (v). When stopping to board/unboard passengers, the front and rear tires of PUVs and Taxis shall be within 18 inches of the road-side edge of the curb.
- (vi). PUVs on queue shall allow for enough space for passengers to safely alight or board other PUVs ahead of the queue.

Provided, that owners with approved LTFRB franchise Public Utility Vehicles (PUVs) such as vans, jeepneys and taxis whose routes terminate and originate within Quezon City shall register and secure traffic clearance to the TPMO as a requisite to the application for a terminal permit by any transport organization and businesses operating a transport terminal/garage before the issuance of a business permit by the Business Permit and Licensing Office (BPLO) of the City. ✓



They shall be paying for a Traffic Clearance fee through the Treasurer's Office the amount of P500.00 per unit per year for AUVs, taxis and jeepneys, while buses and cargo trucks shall be paying P1,000.00 per unit per year. The TPMO shall issue corresponding Traffic Clearance that should be shown to the enforcer during the conduct of verification.

The violator of this provision shall be fined the amount of Php1,000.00 plus impoundment for AUVs, taxis and jeepneys, and Php2,000.00 plus impoundment for buses and cargo trucks.

Provided, that the TPMO shall continuously conduct studies to improve transport and traffic management and recommend, for approval of the City Mayor, the adoption and implementation of transport and traffic improvement measures, such as, but not limited to:

- i. PUV Stop/Loading/Unloading Segregation - whereby PUVs are assigned separate stops by origin or destination and commuter loading is separated from point of unloading. The TPMO shall conduct the necessary study and formulate, recommend and implement PUV Stop/Loading and Unloading Segregation Schemes.
- ii. Yellow Lane Rule / PUV Priority Lanes - designating PUV Priority Lanes indicated by continuous yellow line to decongest traffic lanes assigned to public transport by limiting access to non-public utility vehicles based on time of day.
- iii. Tricycle Lanes - where warranted and for the safety of tricycle/pedicab riders/drivers, yellow lanes for tricycles/pedicabs may be provided limiting access to tricycles/pedicabs only and prohibiting operation of tricycles/pedicabs outside the Tricycle Lane.

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Provided, also, that subject to the result of the corresponding study, appropriate recommendation/s shall be submitted by the TPMO to the City Mayor and upon approval, the measure/s shall be implemented on an experimental basis and once proven beneficial, it may be permanently adopted after two (2) weeks from submission of report and recommendation to the Mayor and the City Council.






Provided, finally, that for violations of any of the above rules and regulations on PUV Stops and Taxi Stands and any of the duly approved transport and traffic improvement measure(s) enumerated under this Section, a fine of Php500.00 shall be imposed and the violator shall be penalized to undergo a re-education seminar.

j) Colorum Vehicles

All motorized vehicles having four (4) wheels or more used to ferry passengers and/or carry cargoes for a fare or for hire basis, in order to operate as such, must secure a valid Certificate of Public Convenience (CPC) in accordance with existing LTFRB rules and regulations, and be duly registered as such by the Land Transportation Office (LTO).

Violation of this Section shall be deemed to be "colorum" and shall be imposed a fine of Php2,500.00, and impoundment of the vehicle. The impounded unregistered vehicles and the license of its driver shall not be released until said motor vehicle is registered with the LTO.

With respect to tricycles and pedicabs, Ordinance No. SP-2337, S-2014 otherwise known as "An Ordinance adopting the Quezon City Tricycle Management Code of 2014" and Ordinance No. SP-1104, S-2002, otherwise known as "The Quezon City Pedicab Ordinance of 2002" respectively shall govern.

SECTION 9. Section 139, ARTICLE XXIV, relative to the Requirements and Procedures for Exemption and authority of the City Mayor to grant special VVRP exemption is hereby amended to read as follows:     

The City Mayor may grant special exemption for vehicles not covered by the preceding section on a case-to-case basis or when the situation warrants or when extremely necessary, subject to the following requirements/procedures:

(a) The application shall be filed with the Traffic and Parking Management Office that shall review the application if documents are in order and complete, and validate entries therein before endorsement to the Office of the Mayor for approval and issuance of exemption.

(b) The following requirement shall be submitted:

- (i) Duly accomplished application form;
- (ii) Certificate of Registration of the vehicle(s)
- (iii) Proof of payment of filing fee;
- (iv) Documents in support of request for exemption.

(c) Any exemption granted by the Mayor shall be valid only for a period of three (3) months from date of issuance, subject to renewal.

(d) The certificate of exemption shall be in a prescribed original form duly signed by the City Mayor.

Provided that the Mayor is hereby further authorized to grant VVRP exemption valid for one day for meritorious reason(s) subject to a one-day VVRP exemption fee of Five Hundred Pesos (P500.00) for motor vehicles having a gross capacity weight of 4,000 kilograms to 4,500 kilograms, and Two Hundred and Fifty Pesos (P250.00) for motor vehicles having a gross capacity weight of less than 4,000 kilograms.

SECTION 10. Section 140, ARTICLE XXIV, relative to Fees for VVRP Exemption is hereby amended to read as follows:

Filing and processing fees for applications for VVRP Exemption shall be as follows: *γ* *α* *δ* *ε* *ζ*

Vehicle	Filing Fee	Processing Fee
Car/Private Jeeps	PhP200.-	PhP500.-
Vans/Delivery Panels, Public Utility Jeeps	PhP400.-	PhP750.-
Buses	PhP500.-	PhP1,000.-
Truck with gross vehicle weight of less than 4,500 kgs.	PhP600.-	PhP1,200.-
Truck with gross vehicle weight of more than 4,500 kgs.	PhP800.-	PhP1,500.-

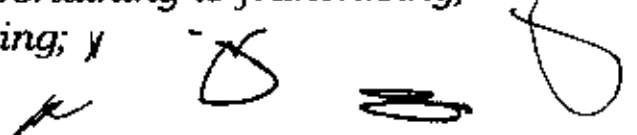
The filing and processing fees shall be paid to the City Treasury upon filing of the application. The TPMO shall release the certificate of exemption to be approved and issued by the City Mayor or his authorized official.

SECTION 11. In relation to Section 58, Section 73(f), Section 94, Section 97, Section 100, Section 101, Section 102(a), and other related Sections of City Ordinance No. SP-1444, S-2004, duly deputized traffic officers are hereby granted authority to impound the motor vehicle of a violator found to have committed the following infractions, to wit:

- 11.1 Driving without license; driving without the license in possession; and/or, refusal/failure to surrender license;
- 11.2 Unregistered/improperly registered/delinquent or invalid registration;
- 11.3 Using license plates different from the body number;
- 11.4 Unregistered substitute or replacement motor, vehicle engine, engine block or chassis;
- 11.5 Unauthorized change of color or configuration;
- 11.6 Operating a motor vehicle with a suspended or revoked Certificate of Registration; y


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- 11.7 *Illegal transfer of license plates, LTO/LGU-issued tags or stickers;*
- 11.8 *Violations involving absence of required parts, accessories or devices or defective parts, accessories or devices which pose danger to the public;*
- 11.9 *Authorized route not properly painted;*
- 11.10 *Unauthorized/improvised number - painted/printed on license plates;*
- 11.11 *Failure to paint vehicle business or trade name;*
- 11.12 *Failure to paint required markings;*
- 11.13 *No body number;*
- 11.14 *Using radio or stereo in violation of existing regulation or without the necessary permit, or in breach of the condition stated in the permit or regulations;*
- 11.15 *Installation of jalousies, curtains, dim colored lights, strobe lights, dancing lights or similar lights, colored, tinted or pointed windshield or window glass on "for hire" vehicles;*
- 11.16 *Fake vehicle registration sticker;*
- 11.17 *Fake license plate;*
- 11.18 *Fake official receipt and certificate of registration;*
- 11.19 *Tampered documents pertaining to franchising, registration and licensing; y*

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- 11.20 *Failure to present any document regarding motor vehicle at the time of apprehension;*
- 11.21 *Breach of franchise conditions;*
- 11.22 *Use of fake/ expired/ invalid drivers license/OVR;*
- 11.23 *Improper use of driver's license;*
- 11.24 *Student driver unaccompanied by a duly licensed driver;*
- 11.25 *Use of expired/unauthorized traffic violation ticket, provided that the following are hereby considered as unauthorized traffic violation ticket:*
 - 11.25.1 *Traffic citation tickets declared invalid by the Court.*
 - 11.25.2 *Traffic citation tickets issued by LGUs outside Metro Manila.*
- 11.26 *Failure/refusal to remove illegally/improperly parked/stalled vehicles;*
- 11.27 *Double/multiple driver's license/OVR;*
- 11.28 *Refusal to unload overloaded cargo trucks;*
- 11.29 *Out of line/operating outside its authorized route;*
- 11.30 *Colorum operations including private passenger automobiles, private trucks, private motorcycles/tricycles/pedicabs used as public transport for a fee; ✓*

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- 11.31 Trip-cutting;
- 11.32 Refusal to convey passengers/s;
- 11.33 Non-issuance of fare ticket on a bus;
- 11.34 Unauthorized use of commercial or business name;
- 11.35 Allowing another entity to use one's commercial or business name;
- 11.36 Fast, tampered, defective, or non-operational taxi meter; tampered, broken, fake or altered meter seal;
- 11.37 Overcharging or undercharging of fare;
- 11.38 Taxi found to have any device contrivance, appliance or gadget for making the taximeter run fast;
- 11.39 Tampered, broken, joined, reconnected, fake or altered sealing wire;
- 11.40 Failure to present taxi unit for annual testing and calibration; old meter, transmission and/or triplex seal;
- 11.41 Loose triplex seal;
- 11.42 Plugged-up meter or operating taxi on contractual basis;
- 11.43 Operating a taxi unit without taximeter; 



- (b) *Traffic engineering and transport infrastructure plans, programs and projects, particularly, insofar as securing of excavation permit and traffic clearance/s.*

The MMDA, DPWH, DOTC and other transport and traffic infrastructure agencies shall involve the City government during the planning stage of its transport and traffic management plans, programs and projects and upon approval thereof, coordinate with and secure the necessary permit/s and clearance/s, of the City government.

- (c) *Urban transport plans, programs and projects concerning the City, mainly in view of the traffic impact, including, among others: issuance/ renewal of Certificate of Public Conveyances; accreditation of public transport cooperatives; and revision/extension/modification amendment of routes, particularly in relation to the requirement for garage which is regulated by the City.*

No motorized vehicles, except tricycles, will be allowed to operate as public transport for hire without securing a Certificate of Public Convenience from the DOTC-LTFRB. All public transport operators intending to use/establish commuter facilities, such as, transit stations/sheds, terminal/s and garage/s (whether public or private) within the jurisdiction of the City shall first secure the required permit and the necessary endorsement from the Quezon City Government before

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applying for a Certificate of Public Convenience with the DOTC-LTFRB. Where necessary, a traffic impact assessment shall be required prior to endorsement to DOTC-LTFRB.

SECTION 13. SURCHARGE FOR LATE PAYMENT OF FINES AND PENALTIES – *Unless otherwise specified herein, the surcharge prescribed under Appendix VI of Sangguniang Panlungsod Ordinance No. SP-1444, S-2004, otherwise known as the Traffic Management Code of the Quezon City, shall apply.*

SECTION 14. AUTHORITY OF THE CITY MAYOR; INTER-AGENCY LINKAGES – *For the efficient implementation of the red light camera provided under this Ordinance including access to data on registered vehicles, the City Mayor is hereby authorized to enter into an agreement with attached agencies of the DOTC. Furthermore, the City Mayor is hereby authorized to enter into a Public-Private Partnership Agreement subject to ratification by the City Council for the installation, operation and management of the no contact traffic violation apprehension and the red light camera systems under such terms and conditions which are beneficial to the city government.*

SECTION 15. 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 16. 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.* †

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47th Regular Session


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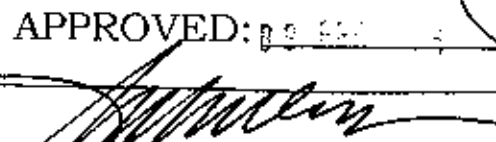
SECTION 17. EFFECTIVITY – This Ordinance shall take effect fifteen (15) days after its approval and publication in the Quezon City Hall and Barangay offices of this City.

ENACTED: December 1, 2014.


DOROTHY A. DELARMENTE
President Pro-Tempore
Acting Presiding Officer

ATTESTED:


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

APPROVED: 
HERBERT M. BAUTISTA
City Mayor

CERTIFICATION

This is to certify that this Ordinance was APPROVED by the City Council on Second Reading on December 1, 2014 and was PASSED on Third/Final Reading on December 15, 2014.


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