



Republic of the Philippines  
PROVINCE OF LEYTE  
Provincial Capitol  
Tacloban City

Item No.: 15  
Date: 21 2025 JAN

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PROVINCIAL LEGAL OFFICE

Province of Leyte  
Legal Office  
Subject: *Asst. Agr. Sec.*  
Time:  
Date: *1-8-25*

SANGGUNIANG PANLALAWIGAN  
**RECEIVED**  
JAN 13 2025  
PROVINCE OF LEYTE

2<sup>nd</sup> INDORSEMENT  
December 26, 2024

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through the SP Secretary, the attached Ordinance No. 24-29 of the Sangguniang Bayan of Burauen, Leyte.

**Issues/concerns for review/recommendation/legal opinion is/are as follows:**

- Ordinance No. 24-29 entitled: **“An Ordinance ensuring Children’s Road Safety and Protection within the Municipality of Burauen.”**

**REVIEW/RECOMMENDATION/LEGAL OPINION:**

This office is of the opinion that the subject Ordinance is generally in accordance with its power under Section 447(a)(1)<sup>1</sup> of the Local Government Code of 1991 (R.A 7160). Hence, we recommend for the declaration of its validity.

We hope to have assisted you with this request. Please note that the opinion rendered by this Office are based on the facts available and may vary or change when additional facts and documents are presented or changed. This opinion is likewise without prejudice to the opinions rendered by higher and competent authorities and/or the courts.

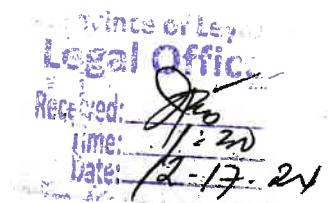
**ATTY. JOSE RAYMUND A. ACOL**  
Asst. Provincial Legal Officer *JRA*

<sup>1</sup> *The sangguniang bayan, as the legislative body of the municipality, shall enact ordinances, approve resolutions and appropriate funds for the general welfare of the municipality and its inhabitants pursuant to Section 16 of this Code and in the proper exercise of the corporate powers of the municipality as provided for under Section 22 of this Code,*


Republic of the Philippines  
PROVINCE OF LEYTE  
Palo, Leyte

**OFFICE OF THE SANGGUNIANG PANLALAWIGAN**

**1<sup>ST</sup> INDORSEMENT**  
17 December 2024



The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **Municipal Ordinance No. 24-29** of the **Municipality of Burauen, Leyte**, entitled: **An Ordinance ensuring Children's Road Safety and Protection within the Municipality of Burauen**

  
**FLORINDA JILL S. TYVICO**  
Secretary to the Sanggunian



Republic of the Philippines  
PROVINCE OF LEYTE  
MUNICIPALITY OF BURAUEN



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## OFFICE OF THE SANGGUNIANG BAYAN

December 16, 2024

THE HONORABLE MEMBERS  
Sangguniang Panlalawigan  
Province of Leyte

ATTENTION: **FLORINDA JILL S. UYVICO**  
Secretary to the Sanggunian  
Province of Leyte  
Palo, Leyte



Ladies/Gentlemen:

We transmit herewith 15 copies of **Municipal Ordinance No. 24-29**, Series of 2024 of the Sangguniang Bayan of Burauen, Leyte, entitled "**An Ordinance Ensuring Children's Road Safety and Protection Within the Municipality of Burauen**", for review and approval of the body.

Thank you and please acknowledge receipt hereof.

Respectfully yours,

  
ATTY. RUDEJANE S. TAN  
Secretary to the Sanggunian



Republic of the Philippines  
 Province of Leyte  
 Municipality of Burauen  
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OFFICE OF THE SANGGUNIANG BAYAN

SANGGUNIANG PANLALAWIGAN



**MUNICIPAL ORDINANCE NO. 24-29**  
 Series of 2024

**AN ORDINANCE ENSURING CHILDREN'S ROAD SAFETY AND PROTECTION WITHIN THE MUNICIPALITY OF BURAUEN**

*Authored by Hon. Cipriano R. Relatorres, Jr.*

**Section 1. Title.** – This ordinance shall be known as the “**Children’s Road Safety Ordinance of Burauen, Leyte**”.

**Section 2. Purpose.** – This ordinance aims to ensure the safety of children riding motorcycles, either as riders or passengers, and of students when crossing roads outside school premises.

**Section 3. Definition of Terms.** – For purposes of this ordinance, the following terms shall have the meanings set forth below:

- a. **Motorcycle** – A two-wheeled motor vehicle designed for the transportation of one or two persons, powered by engine that may utilize various energy sources, including but not limited to fuel and electricity, and capable of speeds typically exceeding 60 kilometers per hour (kph).
- b. **Public Road** – All roads maintained by the national or local government, including highways, provincial roads, city and municipal streets, barangay roads, and any other thoroughfares used for public vehicular and pedestrian traffic.
- c. **Rider** – The individual operating or driving a motorcycle, whether as the sole occupant or with one or more passengers.
- d. **Driver** – Any individual operating or in physical control of a motor vehicle on a public road, irrespective of any official license status.
- e. **Child** – Any person below the age of 18 years, as defined by law.
- f. **Passenger** – Any person riding a motorcycle, excluding the rider, who is not in control of the vehicle.
- g. **School** – Any educational institution, including elementary, secondary, and tertiary schools, whether public or private, that provides formal or non-formal education.
- h. **Pedestrian Line** – A designated area or crosswalk on the road marked for the safe passage of pedestrians. Pedestrian lanes are typically located near schools, parks, commercial areas, and other places with high foot traffic.
- i. **School Zone** – An area surrounding a school where traffic speed and vehicle movement are regulated to ensure the safety of students and pedestrians.
- j. **Traffic Calming Measures** – Any physical or regulatory intervention designed to slow down traffic or reduce speed, particularly in areas with high pedestrian activity, such as school zones.

**Section 4. Prohibitions.** – To protect the safety of children on motorcycles and in traffic, the following actions are strictly prohibited:

- a. **Unlicensed Operation** – No child shall be permitted to drive a motorcycle without a valid driver's license issued by the Land Transportation Office (LTO).
- b. **Supervised Operation** – A child holding only a student permit may operate a motorcycle only when accompanied and supervised by a licensed adult rider.
- c. **Passenger Positioning** – It is prohibited for any child passenger to sit in front of the rider while the motorcycle is in operation. Additionally, children seated at the back who cannot comfortably reach the motorcycle's foot pegs must be secured by an additional adult passenger who can ensure their stability and safety during the ride.
- d. **Passenger Limits** – A maximum of two child passengers is allowed per motorcycle to ensure safe and manageable operation. Furthermore, for motorized tricycles-for-hire, the maximum number of passengers shall be limited to seven (7). Overloading is strictly prohibited, as it poses significant safety risks, particularly to children.
- e. **Road and Traffic Restrictions for Child Passengers** – It is unlawful for any person to drive a motorcycle with a child onboard under the following conditions:
  1. On public roads with heavy traffic volume or in areas designated as high-risk for motorcycles.
  2. On roads with a speed limit exceeding 60 kilometers per hour (kph) unless all of the following conditions are met:
    - i. **Foot Peg Reach** – The child passenger can comfortably reach and rest their feet on the motorcycle's foot pegs.
    - ii. **Passenger Stability** – The child can firmly grasp the rider's waist or an appropriate handhold for stability.
    - iii. **Safety Helmet** – The child is wearing a motorcycle helmet that complies with the standards set forth by Republic Act No. 10054, the "Motorcycle Helmet Act of 2009."

**Section 5. Safety Provisions for Drivers and Pedestrians.** – To enhance road safety for children and pedestrians, the following provisions apply within the municipality of Burauen:

- a. **Speed Limit Near School Zones** – All drivers must reduce their speed to **15 kilometers per hour (kph)** when approaching and passing through designated school zones and pedestrian areas. This speed limit aims to ensure the safety of students and other pedestrians during school hours and times of high foot traffic.
- b. **Right of Way at Pedestrian Lanes** – Pedestrians, particularly children, shall have the right of way at all designated crosswalks and pedestrian lanes. Drivers are required to come to a complete stop to allow pedestrians to cross safely. Failure to do so shall be considered a violation of this ordinance and shall subject the driver to applicable penalties.
- c. **Traffic Calming Signage** – The local government shall install appropriate signs, speed bumps, or other traffic-calming devices near school zones and pedestrian lanes to remind drivers of reduced speed limits and pedestrian priority areas.

**Section 6. Exceptions.** – The restrictions outlined in Section 4 of this Ordinance shall not apply in cases where immediate transportation of a child is required to seek urgent medical care or in any medical emergency that necessitates the child's prompt transport. In such situations, the prohibitions specified in this Ordinance are temporarily suspended to prioritize the child's health and well-being.

**Section 7. Parents and Guardians' Responsibilities.** – Parents and guardians shall be responsible for ensuring the safety of children on the road, and are required to:

- a. Educate children on road safety, traffic rules, and their responsibilities as pedestrians or passengers;
- b. Ensure that children understand and comply with traffic rules and regulations;

- c. Accompany young children when crossing streets and highways;
- d. Encourage and ensure the use of designated pedestrian lanes when walking near roads; and
- e. Promptly report any concerns regarding road safety or violations of this Ordinance to school authorities or local government officials.

**Section 8. Schools' Responsibilities.** – Educational institutions shall actively contribute to road safety and child protection by:

- a. Implementing educational programs and initiatives aimed at raising awareness of road safety among students;
- b. Promoting parental involvement and community engagement in road safety activities;
- c. Collaborating with local authorities and relevant agencies to advocate for and support the creation of safer road infrastructures around schools;
- d. Conducting periodic road safety audits and evaluations to ensure compliance with this Ordinance; and
- e. Developing and implementing policies or guidelines related to safe student transportation, including drop-off and pick-up procedures.

**Section 9. Local Government Unit Responsibilities.** – To ensure effective implementation and enforcement of the Children's Road Safety Ordinance, both Barangay Local Government Units (BLGU) and Municipal Local Government Units (MLGU) have specific responsibilities:

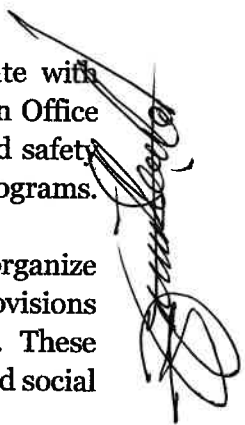
a. **BLGU: Barangay Local Government Units.** – The Barangay Local Government Units, particularly those with schools within their jurisdictions, shall:

1. **Support Enforcement of Pedestrian Lanes Near Schools** – Barangay officials shall establish and maintain clear, visible pedestrian lanes near school zones, working closely with school administrators to identify optimal crosswalk locations and ensure these areas are free from obstructions.
2. **Assign Traffic Personnel During Peak Hours** – Barangay tanods and Green Cops shall be assigned to school zones during school hours, particularly during peak times such as student arrival and dismissal, to assist in managing traffic and ensuring the safety of children crossing the streets.
3. **Educate the Community** – Barangay officials shall conduct awareness campaigns to educate parents, children, and drivers on pedestrian safety and the provisions of this ordinance. This may include barangay assemblies, community posters, and announcements.
4. **Report Violations and Incidents** – Barangay officials shall monitor compliance with the ordinance, report violations, and collaborate with the municipal government and local police to address road safety issues. They are also encouraged to keep records of incidents to assess the ordinance's impact and identify areas for improvement.

b. **MLGU: Municipal Local Government Units.** – The Municipal Local Government Unit of Burauen has a broader role in implementing and overseeing the ordinance across the municipality. The MLGU's responsibilities include:

1. **Implement and Monitor the Ordinance** – The MLGU, through its designated departments, shall ensure that the ordinance is actively enforced. This includes coordinating with the police, LTO, and barangay units to conduct regular patrols, especially around school zones.

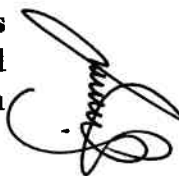
2. **Provide Necessary Resources** – The MLGU shall allocate funds for the installation and maintenance of road safety infrastructure, such as pedestrian lanes, road signs, and traffic lights near schools.
3. **Conduct Regular Audits and Inspection** – The MLGU shall perform periodic audits of school zones to assess the effectiveness of pedestrian safety measures, including traffic flow, pedestrian lane visibility, and compliance with the ordinance, making adjustments as needed.
4. **Coordinate with Relevant Agencies** – The MLGU shall collaborate with agencies like the Department of Education (DepEd), Land Transportation Office (LTO), and the Philippine National Police (PNP) to implement joint road safety initiatives, including training for school staff and road safety awareness programs.
5. **Promote Public Awareness Campaigns** – The MLGU shall organize municipality-wide campaigns to educate the public on road safety, the provisions of the ordinance, and the responsibilities of drivers and pedestrians. These campaigns may be integrated with school programs, community events, and social media outreach.
6. **Monitor and Evaluate Ordinance Effectiveness** – The MLGU shall establish a system for collecting data on traffic incidents and ordinance violations involving children. This data shall be regularly reviewed to assess the ordinance's impact and inform any necessary amendments to strengthen its effectiveness.



**Section 10. Funding.** – The necessary funds for the effective implementation of this ordinance shall be appropriated from available sources as determined by the Municipal Government of Burauen.


**Section 11. Penalties.** – Any individual found in violation of the provisions of this Ordinance shall be subject to the following penalties:

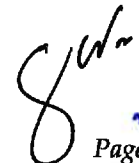
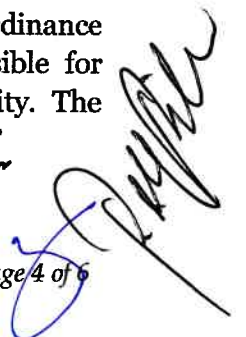
1. **First Offense** – A fine of **One Thousand Pesos (P1,000.00)**, shall be imposed, along with a mandatory road safety seminar to educate the violator on the importance of road safety, particularly for children and pedestrians.
2. **Second Offense** – A fine of **One Thousand Five Hundred Pesos (P1,500.00)** shall be imposed. The violator shall also be required to attend a follow-up road safety seminar to reinforce safe practices and promote responsible behavior on the road.
3. **Third and Subsequent Offenses** – A fine of **Two Thousand Five Hundred Pesos (P2,500.00)**, along with a mandatory community service requirement related to road safety education or traffic management, shall be imposed. The violator must also attend a final road safety course, including a review of all provisions of this Ordinance.
4. **Serious Violations** – In cases where a violation results in harm or injury to a child or any other individual, the violator shall face **six (6) months imprisonment**, in addition to any other penalties under the Revised Penal Code and related laws.

**Section 12. Road Safety Management Council.** – The implementation of this ordinance shall be overseen by the Road Safety Management Council, which will be responsible for formulating, monitoring, and enforcing road safety measures within the municipality. The Council shall consist of the following members:

Chairperson:                      Municipal Mayor



Co-Chairperson: Sangguniang Bayan Chair, Committee on Children

Members: Sangguniang Bayan Chair, Committee on Public Safety  
President, Liga ng mga Barangay  
Municipal Social Welfare and Development Officer  
Municipal Engineer  
Business Permit and Licensing Officer  
Chief of Police  
Green Cops Representative  
Land Transportation Office Representative

**Section 13. Functions.** – The Road Safety Management Council shall have the following functions:

1. **Enforcement Coordination** – Coordinate with law enforcement agencies to ensure the effective enforcement of road safety regulations, including regular monitoring of school zones, pedestrian lanes, and compliance with speed limits.
2. **Conduct Public Awareness Campaigns** – Launch educational campaigns for drivers, parents, schools, and the community to enhance awareness of this ordinance and promote safe driving and pedestrian practices.
3. **Monitor Ordinance Compliance and Effectiveness** – Assess and report on the compliance rate and effectiveness of the ordinance, using collected data on traffic incidents involving children, school zone safety audits, and feedback from the community.
4. **Provide Recommendations for Ordinance Improvement** – Based on data collected and observations, propose amendments or updates to this ordinance to ensure it remains effective in protecting children and pedestrians.
5. **Engage with Stakeholders** – Establish collaborations with local schools, barangays, and agencies, encouraging joint activities to promote road safety and ensure stakeholders' involvement in policy-making and implementation.

**Section 14. Secretariat.** – The Municipal Mayor shall designate a Secretariat from among the municipal staff to assist the Road Safety Management Council in documenting meetings, tracking implementation, and ensuring communication with relevant stakeholders.

**Section 15. Repealing Clause.** – All ordinances and resolutions inconsistent with this ordinance are hereby repealed or modified accordingly.

**Section 16. Separability Clause.** – If any provision of this ordinance is declared unconstitutional or invalid, the remaining provisions shall remain in full force and effect.

**Section 17. Effectivity.** – This ordinance shall take effect fifteen (15) days after its posting in at least three (3) conspicuous places within the municipality.

**ENACTED** this 25<sup>th</sup> day of November 2024 at Burauen, Leyte.

**CERTIFIED CORRECT:**

**ATTY. RUDEJANE S. TAN**  
*Secretary to the Sanggunian*



**ATTESTED:**

(absent)

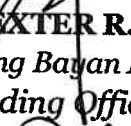
**HON. NOEL P. ALPINO**  
*Vice Mayor*


  
**HON. VINCENT G. ENERLAN**  
*Sangguniang Bayan Member*

  
**HON. CIPRIANO R. RELATORRES, JR**  
*Sangguniang Bayan Member*

  
**HON. HERMENIA C. CAMASIN**  
*Sangguniang Bayan Member*

  
**HON. BRYAN R. CINCO**  
*Sangguniang Bayan Member*

  
**HON. DEXTER R. SENO**  
*Sangguniang Bayan Member/  
Presiding Officer*

  
**HON. ROBERT G. DEL PILAR**  
*Sangguniang Bayan Member*

  
**HON. EWAFE A. CORAL**  
*Sangguniang Bayan Member*

  
**HON. OSCAR A. CAGARA**  
*Sangguniang Bayan Member*

(absent)

**HON. FE S. RENOMERON**  
*LnB President/ Ex-Officio SB Member*

(absent)

**HON. JUSTINE MERP G. ANDRADE**  
*SK Federation President/ Ex-Officio Member*

**APPROVED:**

  
**HON. JUANITO E. RENOMERON**  
*Municipal Mayor*



Republic of the Philippines  
PROVINCE OF LEYTE  
MUNICIPALITY OF BURAUEN



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OFFICE OF THE SANGGUNIANG BAYAN

## CERTIFICATE OF POSTING

TO WHOM IT MAY CONCERN:

**THIS IS TO CERTIFY** that **Municipal Ordinance No. 24-29**, Series of 2024 of the Sangguniang Bayan of Burauen, Leyte, entitled, "**An Ordinance Ensuring Children's Road Safety and Protection Within the Municipality of Burauen**", was enacted on November 25, 2024, approved on even date, and has been posted in two (2) conspicuous and publicly accessible places of the municipality from *November 27, 2024 to December 6, 2024*, in compliance with Section 59, paragraph (b) of Republic Act No. 7160, otherwise known as the "Local Government Code of 1991".

Burauen, Leyte, December 13, 2024.

  
**ATTY. RUDEJANE S. TAN**  
*Secretary to the Sanggunian*