

Item No.: 26

Date: 11 2025 FEB



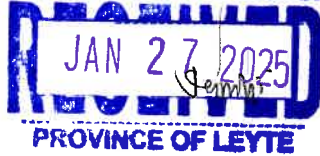
Republic of the Philippines
PROVINCE OF LEYTE
Provincial Capitol
Tacloban City

-oOo-

Office of the
Legal Officer
Checked
Date: 1-27-25

SANGGUNIANG PANLALAWIGAN

PROVINCIAL LEGAL OFFICE



2nd INDORSEMENT
January 6, 2025

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through the SP Secretary, the attached Ordinance No. 14,S-2024 of the Sangguniang Panlungsod of Baybay City, Leyte.

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

- Ordinance No. 14,S-2024 entitled: **“An Ordinance establishing road safety guidelines to motorists operating in the City of Baybay, etc.”**

REVIEW/RECOMMENDATION/LEGAL OPINION:

This office is of the opinion that the subject Ordinance is generally in accordance with its power under Sections 458(a)(5)(v)¹ and (vi)² 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
Provincial Legal Officer

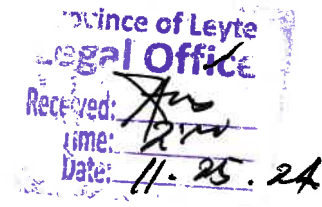
¹ (v) Regulate the use of streets, avenues, alleys, sidewalks, bridges, parks and other public places and approve the construction, improvement repair and maintenance of the same; establish bus and vehicle stops and terminals or regulate the use of the same by privately-owned vehicles which serve the public; regulate garages and the operation of conveyances for hire; designate stands to be occupied by public vehicles when not in use; regulate the putting up of signs, signposts, awnings and awning posts on the streets; and provide for the lighting, cleaning and sprinkling of streets; and public places;

² (vi) Regulate traffic on all streets and bridges; prohibit encroachments or obstacles thereon, and when necessary in the interest of public welfare, authorize the removal or encroachments and illegal constructions in public places;


Republic of the Philippines
PROVINCE OF LEYTE
Palo, Leyte

OFFICE OF THE SANGGUNIANG PANLALAWIGAN

1ST INDORSEMENT
25 November 2024



The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **City Ordinance No. 14, S-2024 of the City of Baybay, Leyte**, entitled: **An Ordinance establishing road safety guidelines to motorists operating in the City of Baybay, prescribing penalties for violation thereof and for such other purposes.**


FLORINDA JILL S. UYVICO
Secretary to the Sanggunian



Republic of the Philippines
PROVINCE OF LEYTE
CITY OF BAYBAY
 -000000-



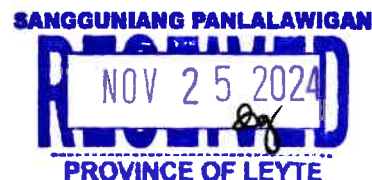
OFFICE OF THE SANGGUNIANG PANLUNGSOD

3rd Floor City Hall, Diversion Road, Brgy. Gaas, Baybay City, Leyte 6521 * panlungsodsangguniang@gmail.com

November 25, 2024

The Sangguniang Panlalawigan
 Province of Leyte
 Tacloban City

Sir/Madam



I am pleased to transmit herewith the Hard copies of City Ordinance No. 14 S. 2024 of the Sangguniang Panlungsod of Baybay City:

It is hoped that said Ordinance is in order and therefore, merits your kind consideration.

Thank you very much.


 ATTY. VIVIAN E. VIDALLON
 SP Secretary

Incl.: as stated



Republic of the Philippines
 PROVINCE OF LEYTE
CITY OF BAYBAY
 -0000000-



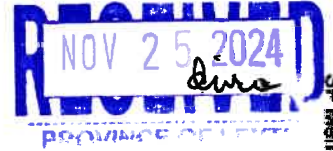
OFFICE OF THE SANGGUNIANG PANLUNGSOD

3rd Floor City Hall, Diversion Road, Brgy. Gaas, Baybay City, Leyte 6521 * spbaybaycity.616@gmail.com

6th SANGGUNIANG PANLUNGSOD

CITY ORDINANCE NO. 14, S-2024
 40th Regular Session

SANGGUNIANG PANLALAWIGAN



"AN ORDINANCE ESTABLISHING ROAD SAFETY GUIDELINES TO MOTORISTS OPERATING IN THE CITY OF BAYBAY, PRESCRIBING PENALTIES FOR VIOLATION THEREOF AND FOR SUCH OTHER PURPOSES."

Authored by:
Hon. Jose Rommel A. Peñaranda

WHEREAS, the number of motorists and people using motor vehicles in the City of Baybay have increased significantly over the past years, thus, the need to establish guidelines on road safety measures to ensure the safety of all motorists, passengers and pedestrians at all times;

WHEREAS, Congress enacted several road safety laws geared towards the protection and safety of motorists such as the Land Transportation and Traffic Code or RA 4136, the Anti-Distracted Driving Act of 2016 or RA 10913, the Anti-Drunk and Drugged Driving Act of 2013 or the RA 10586, the Seat Belts Use Act of 1999 or RA 8750, the Child Seat Law of 2021 or RA 11229, the Children's Safety on Motorcycles Act of 2015 or RA 10666, and the Motorcycle Helmet Act of 2009 or RA 10054;

WHEREAS, some Local Government Units across the country have enacted ordinances localizing these road safety laws to ensure its effective implementation. However, the passage of these national laws and ordinances somehow caused confusion among motorists as to which penalty shall be imposed in case of violations, thus, the need to harmonize local ordinances with the provisions of the national laws;

WHEREAS, the passage of these national road safety laws are still not enough to ensure the safety of motorists and passengers, thus, the need to enact an ordinance that would cover all forms of safety measures to motorists and passengers, and ensure its effective implementation in the local level;

WHEREAS, it has been the primary duty of the Local Government Unit of Baybay City to secure and safeguard the life and limbs of its citizens, and towards this end, it shall pursue a more proactive and preventive approach to secure the safety of all motorists, passengers and pedestrians at all times through the enactment of a more inclusive and harmonize road safety ordinance;

ATTY. JOSE ROMMEL A. PEÑARANDA
 SP Member

DOMINIC AMIE F. MURILLO
 SP Member

JORGEL RIEBUCAS
 SP Member

JULES LIGAS C. CARI
 President, LIGA ng mga Barangay
 Ex-Officio SPM

KYLA SPANINEN T. VIDAL
 SK Chair, City Federation
 Ex-Officio SPM

ROMULO B. ALCALA
 SP Member

SIMOUNEL ASTORGA
 SP Member

Dr. FULTON IRE C. ARRADAZA
 SP Member

JOSE L. BACUSMO
 SP Member

FILEMON F. AVILA
 SP Member

CARMEN L. CARI
 SP Member

RAMON RONALD J. VELOSO
 SP Member

WHEREAS, Section 16 of the Local Government Code (LGC) gives power to Local Government Units to enact ordinances which are essential to the promotion of the general welfare of its inhabitants;

NOW THEREFORE, BE IT ORDAINED, as it is hereby ordained by the 6th *Sangguniang Panlungsod* of the City of Baybay, Province of Leyte, in its 40th Regular Session duly assembled that:

SECTION 1. This ordinance shall be called the Revised Road Safety Ordinance.


SECTION 2. Definition of Terms. The following terms as used herein shall be defined as follows:


- a. Vehicle – shall mean any and all kind of engine-driven land transportation used to carry people or goods from one place to another and includes motorcycles, multi-cabs, buses, trucks, jeepneys, vans, tricycles and other cars, whether for personal use or for public convenience.
- b. Passenger – the riding people of any public or private vehicle whether they pay their fare or not.
- c. Electronic devices – refers to any handheld electronic device capable of digital information processing, recording, capturing or displaying and computing operations such as, but not limited to, laptops, computers, tablets, video game consoles, and calculators.
- d. Communication devices – refers to electronic communications equipment such as, but not limited to, cellular phones, wireless telephones, two-way radio transceivers, pagers and other similar devices capable of transmitting, receiving, or both, of encrypted data and/or signals through wireless electronic or any other similar means.
- e. Certificate of Registration (CR) – this is the document issued by the Land Transportation Office indicating that the motor vehicle is registered with its office.


SECTION 3. Duty of the Driver. The following are the duties of the driver;


- a. To have a valid driver's license with him or her every time he or she drives a motor vehicle except as otherwise specifically provided by law;
- b. To have in his or her vehicle a copy of the vehicle's Certificate of Registration (CR) at all times;
- c. To always observed the required sitting capacity of the motor vehicle;
- d. To observe traffic laws, rules and regulations at all times; and
- e. To observed courtesy and discipline while driving;


SECTION 4. Registration of Vehicles. All vehicles used, operating or travelling in any road or place within the City of Baybay shall be properly

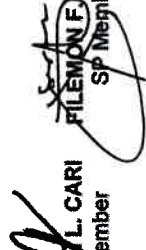

ROMULO B. ALCALA
SP Member



SIMOUNED ASTORGA
SP Member


Dr. FULTON KE C. ARRADAZA
SP Member


JOSE L. BACUSMO
SP Member


FILEMON F. AVILA
SP Member


CARMEN L. CARI
SP Member


RAMON RONALD J. VELOSO
SP Member


ATTY. JOSE ROMMEL A. PENARANDA
SP Member


BENITO ZORNIE F. MURRILLO
SP Member


JORGE V. REBUCAS
SP Member


JILES ZARBAS C. CARI
President, LIGA ng mga Barangay
Ex-Officio SPM


KYIA SHARMEN T. VIDAL
SK Chair, City Federation
Ex-Officio SPM

registered with the Land Transportation Office (LTO) for the current year in accordance with RA No. 4136, as amended.

SECTION 5. Use of Number Plates. All vehicles shall at all time display in conspicuous places of the vehicle, in front and the rear view, the reflective number plates issued by the LTO.

SECTION 6. Speed limit. All motorists shall observe the allowable maximum speed required while the vehicle is running or plying on all types of road within the territorial jurisdiction of the City.

	Passenger/Private cars and Trucks	Buses/Motorcycles
On open road with no blind corner Not closely bordered by habitation	60 km/hr	50 km/hr
Any through streets or boulevards clear of any traffic with no blind corner	40 km/hr	30 km/hr
On City and Barangay streets when not designated through street	30 km/hr	30 km/hr
Through crowded streets approaching intersections, at blind corners, passing school zones, and passing other vehicle which are stationary	20 km/hr	20 km/hr

SECTION 7. Miscellaneous guidelines. All motorists shall likewise observe the following while driving their motor vehicles within the City.

- a. No driver shall operate any motor vehicle while under the influence of liquor, alcohol, drugs or similar substance.
- b. The driver shall not use electronic and communication devices while driving.
- c. Drivers and riders of motorcycles, except tricycles, shall wear the standard protective helmet when operating or riding a motorcycle. The standard protective helmet shall be the one prescribed by the Department of Trade and Industry in accordance with RA 10054 and its implementing rules and regulations.


SECTION 8. Prohibited Acts. The following are considered prohibited acts and shall be penalized in accordance with Section 10 hereof.

- a. Shirtless while driving motorcycles and public utility vehicles;
- b. Non-wearing of prescribed helmet or wearing of unprescribed helmet by motorcycle drivers and riders when operating or riding a motorcycle;
- c. Texting or using communication devices while driving except when the device in question is used with a hands-free function such as Bluetooth earphones, speakers, and other accessories that allow the driver to use the device without holding it;
- d. Allowing children from boarding two-wheeled vehicles or motorcycles running faster than 60 kph on public roads except (i) when the child can comfortably reach his/her feet on the standard foot peg of the motorcycle; (ii) the child's arms can reach around



ROMULO B. ALCALA
SP Member



SIMOUNE L. ASTORGA
SP Member


DR. FULGENCIO C. ARRADAZA
SP Member


JOSE L. BACUSMO
SP Member


FILEMONE AVILA
SP Member


CARMEN L. CARI
SP Member


RAMON RONALD J. VELOSO
SP Member


ATTY. JOSE ROMMEL A. PENARANDA
SP Member




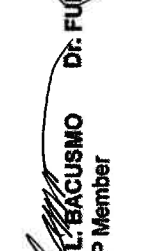
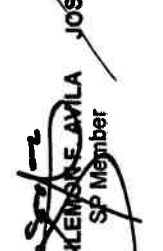

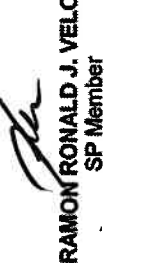

DONATO JUNIE F. MURILLO
SP Member


JORGE V. REBUCAS
SP Member


JULES LUCIAS C. CARI
President, LICA ng mga Barangay
Ex-Officio SPM


KYLA SHANNEN T. VIDAL
SK Chair, City Federation
Ex-Officio SPM

2


ROMULO B. ALCALA
 SP Member

SIMONE L. ASTORGA
 SP Member

DR. FULGENTINE C. ARRADAZA
 SP Member

JOSE L. BACUSMO
 SP Member

ELEANORE AYALA
 SP Member

CARMEL L. CARI
 SP Member

RAMON RONALD J. VELOSO
 SP Member

and grasp the waist of the motorcycle rider; and (iii) when the child is wearing a standard protective helmet;

- e. Driving under the influence of alcohol, drugs and other similar substance;
- f. Using electronic devices while driving;
- g. Non-use of seat belts while driving as described under RA 8750 and RA 11229, applicable to all four-wheeled and above motor vehicles;
- h. Allowing children twelve (12) years old and below to sit in the front seat of a motor vehicle with a running engine or while such child is being transported on any road, street or highway, unless the child meets the height requirement in accordance with Section 4 and 5 of RA 11229
- i. Overloading;
- j. Failure to observe the required speed limit described in Section 6 hereof;
- k. Driving without a license, an expired license or failing to carry a license;
- l. Driving without the vehicle's certificate of registration;
- m. Failure to observe traffic rules and regulations

SECTION 9. Enforcement. The City Traffic Management and Terminal Office (CTMTO) shall be the primary office tasks to implement the provisions of this Ordinance and are authorized to apprehend violators. Citation tickets shall be issued for every violation. The CTMTO shall establish a mechanism in tracking violators as to the number of violations committed and submit an annual report to the *Sanggunian* for review and recommendations.

Other law enforcement agencies such as, but not limited to, the Baybay City Philippine National Police (PNP), when properly deputized by the City Government, thru the City Mayor, may also enforce the provisions of this Ordinance and apprehend violators when duly authorized.

SECTION 10. Penalties. The penalties for violating the prohibited acts mentioned in Section 8 hereof except Section 8(a) and 8(m) are as follows;

- a. First offense - P 500.00
- b. Second offense - P 1,000.00
- c. Third offense - P 1,500.00
- d. Fourth offense - P 2,000.00
- e. Fifth and subsequent offenses - P 3,000.00

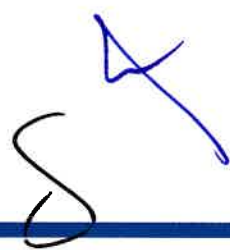

ATTY. JOSE ROMMEL A. PENARRANDA
 SP Member


DOMINIC JUNIE F. MURRILLO
 SP Member


JOBAE V. REBUÇAS
 SP Member


JULES LUCIAS C. CARI
 President, LIGA ng mga Barangay
 Ex-Officio SPM


KYLLA SPANNAN T. VIDAL
 SK Chair, City Federation
 Ex-Officio SPM



Violations under Section 8(a) shall be penalized with a fine of P 100.00. Violations under Section 8(m) shall be penalized in accordance with existing ordinance on traffic rules and regulations.

The above-mentioned penalties apply only to violations of the prohibited acts mentioned in Section 8 hereof and only if the violator is apprehended by the CTMTO.

However, if the prohibited acts penalized in this Ordinance are also penalized by national laws, such as, but not limited to, RA 4136 (Land Transportation and Traffic Code), RA 10913 (Anti-Distracted Driving Act), RA 10586 (Anti-Drunk and Drugged Driving Act), RA 8750 (Seat Belts Use Act), RA 11229 (Child Seat Law), RA 10666 (Children's Safety on Motorcycles Act), and RA 10054 (Motorcycle Helmet Act), and the violator is apprehended by the LTO or any of its deputized agents, then the violator shall be proceeded upon in accordance with the penalty imposed by the applicable national law.

Section 11. Separability Clause. If any provision of this Ordinance is held invalid or unconstitutional, the same shall not affect the validity and effectivity of the other provisions hereof.

Section 12. Repealing Clause. All other ordinances including its rules and regulations which are contrary to or inconsistent with the provisions of this Ordinance are hereby repealed or modified accordingly.

Section 13. Effectivity – This Ordinance shall take effect upon due compliance with all the requirements as provided for under R.A. 7160, otherwise known as the Local Government Code of 1991.

Enacted: October 17, 2024
Baybay City, Leyte, Philippines

CARRIED BY ALL OF THE MEMBERS PRESENT:


ROMULO B. AKALA
SP Member


SIMOUNE L. ASTORGA (via Zoom)
SP Member


DR. FULTON IKE C. ARRADAZA
SP Member


JOSE L. BACUSMO
SP Member


FILEMON F. AVILA
SP Member

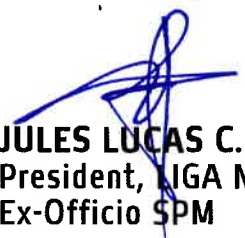

CARMEN L. CARI
SP Member


RAMON RONALD J. VELOSO
SP Member

ATTY. JOSE ROMMEL A. PEÑARANDA
SP Member


DOMINIC JUNIE F. MURILLO
SP Member


JORGE V. REBUSCAS
SP Member



JULES LUCAS C. CARI
President, LIGA Ng Mga Barangay
Ex-Officio SPM



KYLA SHANNEN T. VIDAL
SK Chair, City Federation
Ex-Officio SPM

RESOLVED FURTHER, that certified copies of this ORDINANCE be furnished to the City Mayor Honorable Jose Carlos L. Cari, City Administrator Florante Cayunda Jr.; City Legal Officer, Atty. Avito C. Cahig, Jr.; City Budget Officer, Raul Mabini; City Accountant Jay Ryan Austero; City Treasurer Alberta A. Manatad, CLGOO Juvy C. Pedrera, City Traffic Management & Terminal Office (CTMTO), and to all other offices/agencies/entities concerned for their information, guidance and appropriate action.

I HEREBY CERTIFY to the correctness of the foregoing Ordinance.



ATTY. VIVIAM C. ENARIO-VIDALLON
Secretary to the Sanggunian

*ATTESTED & CERTIFIED
TO BE DULY ADOPTED*



ATTY. ERNESTO M. BUTAWAN
City Vice Mayor / Presiding Officer

CONFORME:



ENGR. JOSE CARLOS L. CARI
City Mayor *11/20/24*



Republic of the Philippines
PROVINCE OF LEYTE
CITY OF BAYBAY
-0000000-



OFFICE OF THE SANGGUNIANG PANLUNGSOD

3rd Floor City Hall, Diversion Road, Brgy. Gaas, Baybay City, Leyte 6521 • panlungsodsangguniang@gmail.com

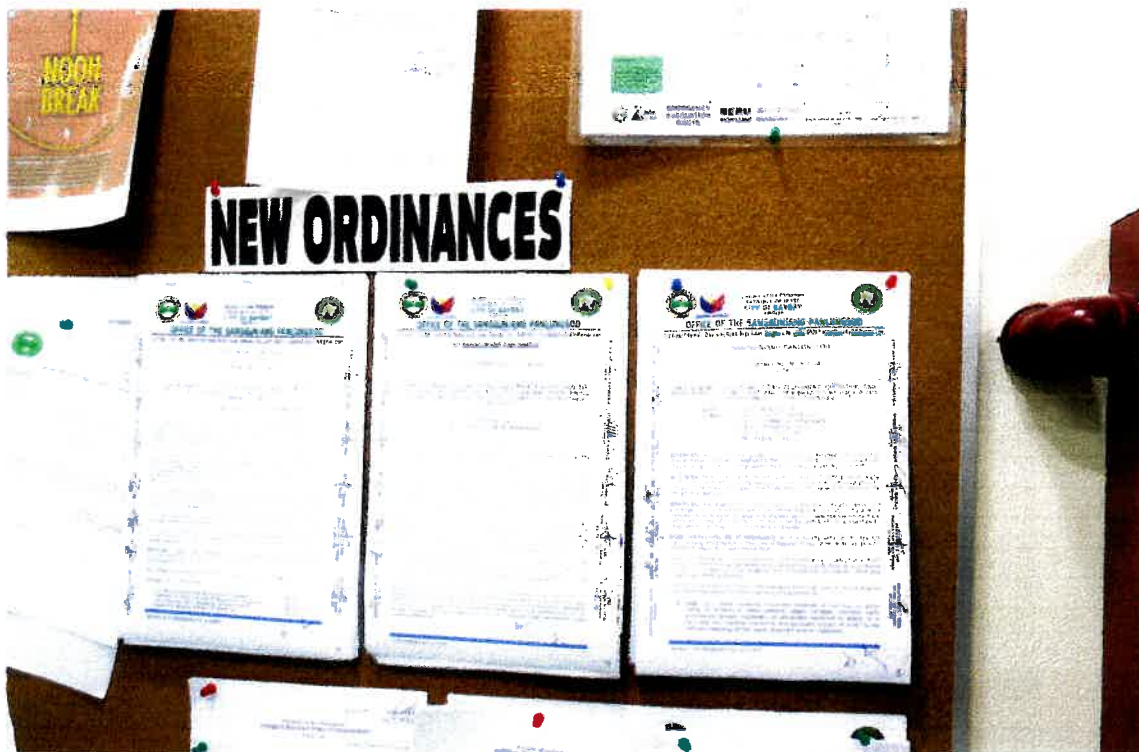
C E R T I F I C A T I O N

TO WHOM THIS MAY CONCERN:

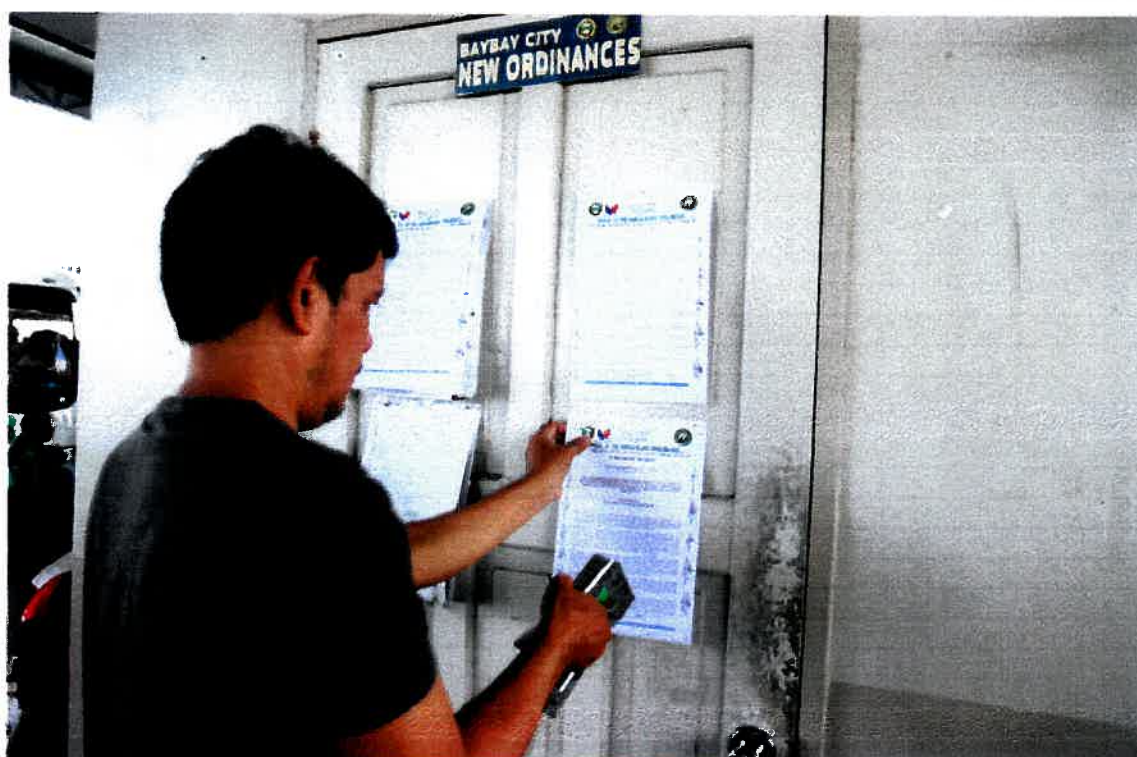
THIS IS TO CERTIFY that the City Ordinance No. 14 s. 2024 " AN ORDINANCE ESTABLISHING ROAD SAFETY GUIDELINES TO MOTORISTS OPERATING IN THE CITY OF BAYBAY, PRESCRIBING PENALTIES FOR VIOLATION THEREOF AND FOR SUCH OTHER PURPOSES." was posted in the bulletin board at Legislative Department, New City Hall, Diversion Road, the public market and Baybay City Bus and Terminal immediately upon approval thereof.

Issued this 25th day of November, 2024, at Baybay City, Leyte.


ATTY. VIVIAN E. VIDALLON
SP Secretary



SANGGUNIANG PANLUNGSOD OFFICE BULLETIN BOARD



BAYBAY CITY BUS TERMINAL



BAYBAY CITY TRICYCLE TERMINAL