

**EXCERPT TAKEN FROM THE JOURNAL OF THE REGULAR SESSION OF THE SANGGUNIANG PANLUNGSOD OF THE CITY OF ALAMINOS, PANGASINAN HELD ON FEBRUARY 15, 2022**

**PRESENT:**

<b>Vice Mayor Jose Antonio Miguel Y. Perez</b>	- <b>Presiding Officer</b>
Councilor Carolyn D. Sison	- Majority Floor Leader
Councilor Cirilo B. Radoc	- Minority Floor Leader
Councilor Verna S. D. Rabago	- Assistant Majority Floor Leader
Councilor Michelle S. Segundera	- Member
Councilor Joselito O. Fontelera	- Member
Councilor Oscar A. Boling	- Member
Councilor Froebel A. Ranoy	- Member
Councilor Dahlia M. de Leon	- Member
LBP Raul B. Bacay	- Ex-Officio Member

**ABSENT:**

Councilor Apolonia G. Bacay	- On official business
PPSKP Lovely V. Bernabe	- On Leave

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**ORDINANCE NO. 2022-01**

**AN ORDINANCE REVISING ORDINANCE NO. 2003-25, OTHERWISE KNOWN AS THE “ORDINANCE GOVERNING SPEED LIMIT/OVERSPEEDING OF ALL MOTORVEHICLES WITHIN THE TERRITORIAL JURISDICTION OF THE CITY OF ALAMINOS, PANGASINAN,” PROVIDING PENALTIES FOR THE VIOLATION THEREOF, AND FOR OTHER PURPOSES**

Author:

**Vice Mayor Jose Antonio Miguel Y. Perez**

Sponsor:

**LBP Raul B. Bacay**

Co-sponsor:

**Councilor Verna S. D. Rabago**

**WHEREAS**, Sections 35 and 38 of Republic Act No. 4136, otherwise known as the Land Transportation and Traffic Code, prescribes the maximum allowable speed for specific road classes and motor vehicles, and mandates local government units to classify roads within their jurisdiction for traffic purposes;

**WHEREAS**, the Joint Memorandum Circular 2018-001 of the Department of Transportation (DOTr), Department of the Interior and Local Government (DILG) and the Department of Public Works and Highways (DPWH) identifies speeding as the most important contributor to road fatalities and is at the core of the road injury problem, as it influences both crash risk and crash severity which significantly affects vulnerable road users, and that the participation of local government units is vital in improving the level of speed limit enforcement in the country;

**WHEREAS**, under Section 458 (a)(5)(vi) of Republic Act No. 7160, otherwise known as the Local Government Code of 1991, cities have the power to regulate traffic on all streets and bridges... x x x;

**WHEREAS**, to comply with the requirements of laws and regulations, there is a need to regulate speed limits on roads within the territorial jurisdiction of the City of Alaminos and apply speed management strategies, such as limiting the access of specific types of motor vehicles on roads where there is high pedestrian volume;

**NOW, THEREFORE**, on motion of LBP Raul B. Bacay, co-sponsored by Councilor Verna S. D. Rabago, duly seconded by Councilor Michelle S. Segundera and Councilor Carolyn D. Sison,

**BE IT ORDAINED BY THE SANGGUNIANG PANLUNGSOD OF THE CITY OF ALAMINOS, PANGASINAN IN REGULAR SESSION ASSEMBLED AN:**

**Section 1. Short Title.** — This Ordinance shall be known and cited as the "2022 Speed Limit Ordinance of Alaminos City."

**Section 2. Purpose.** — This Ordinance is enacted to safeguard all road users within the territorial jurisdiction of the City of Alaminos, and to promote public health, safety, and convenience.

**Section 3. Coverage.** — This Ordinance shall apply to drivers/owners of all types of motor vehicles driven within, or passing through, the City of Alaminos, Pangasinan.

**Section 4. Interpretation.** — All words, phrases and provisions shall be interpreted in a manner that is consistent with the purpose and spirit of this Ordinance. Words and phrases not defined in this Ordinance shall be given their plain or customary meaning, unless the context requires otherwise.

**Section 5. Definition of Terms.** — As used in this Ordinance, the following words and phrases shall have the meanings ascribed to them in this Section:

- a) **“Central Business District”** shall refer to an area within the territorial jurisdiction of the City of Alaminos, including roadways/ streets, within Barangay Poblacion and adjacent barangays with the following boundaries:
  1. Embarcadero Bridge, Brgy. Poblacion
  2. AMA Building, Brgy. Palamis
  3. Land Transportation Office, Brgy. Tanaytay; and
  4. Alaminos City National High School Campus, Brgy. Poblacion
- b) **“City Streets”** shall refer to roads within the Poblacion, roads that connect to the National and Provincial Roads, and roads that provide inter-barangay connections to major City Infrastructure without traversing Provincial roads, within the jurisdiction of the City of Alaminos, Pangasinan not otherwise designated as National Roads, Provincial Roads, Barangay Roads, and Crowded Streets.
- c) **“Crowded streets”** shall refer to streets with heavy pedestrian traffic, including all streets within a one-kilometer radius of the perimeter of schools, public transportation terminals, markets, government buildings, churches and other places of worship, recreational places, facilities frequented by the youth, parks, shopping malls, movie houses, hotels, restaurants, and other public places as may be determined by the city or municipality. In case of linear strips of crowded areas, the reckoning point for the five hundred (500)-meter radius shall be the first and the last crowded public place.

- d) **“Driver”** shall refer to any person operating a motor vehicle.
- e) **“Impoundment”** shall refer to the act of placing a motor vehicle in a designated impoundment or holding lot by an authorized traffic law enforcement officer.
- f) **“Law Enforcement Officer (LEO)”** shall, as appropriate, refer to members of the Philippine National Police (PNP) – Alaminos City Police Station, members of the Public Order and Safety Office (POSO), and other public officers, such as barangay captains or barangay officials, barangay tanods or civilian volunteer organizations (CVO), Barangay Peacekeeping Action Teams (BPAT), authorized by City Government of Alaminos to enforce this Ordinance.
- g) **“Motor Vehicle”** shall refer to any vehicle propelled by any power other than muscular power using the public highways, but excepting road rollers, trolley cars, street-sweepers, sprinklers, lawn mowers, bulldozers, graders, fork-lifts, amphibian trucks, and cranes if not used on public highways, vehicles that run only on rails or tracks, and tractors, trailers and traction engines of all kinds used exclusively for agricultural purposes. Private cars, private jeepneys, utility mini-buses, passenger jeepneys, trucks of all kinds, motorcycles, and tricycles, vans, electric motorcycles, and electric cars shall be considered as vehicles.
- h) **“Open road”** shall refer to a road or highway allowing easy travel, especially one outside an urban area.
- i) **“Owner”** shall refer to the person in whose name the motor vehicle is registered, as indicated on the Certificate of Registration issued by the Land Transportation Office (LTO).
- j) **“Road”** shall refer to any public highway, street, thoroughfare, alley, boulevard, and the likes within the City of Alaminos, Pangasinan.
- k) **“Speed gun”** shall refer to a speed measuring device using radar detection and ranging (RADAR) or light detection and ranging (LIDAR) technologies for the purpose of determining the speed of motor vehicles.
- l) **“Speed enforcement camera”** shall refer to camera-based speed enforcement systems that may be installed on highways or used by law enforcers to determine the speed of motor vehicles for purposes of detecting violations of speed limits.
- m) **“Through street”** shall refer to a street designated to give preference to the “through movement of traffic”. It is often a main street in a town or district that serves as the principal roadway for traffic.
- n) **“Traffic Citation Ticket” or “TCT”** shall mean the ticket issued by law enforcement officers in the City Government for a violation of its Traffic Ordinance.

**Section 6. Speed Limits and Classification of Roads.** — Subject to Section 7 and Section 8, and unless otherwise provided in this Ordinance, the speed limit for the following shall be:

- a.) In city roads classified as Crowded Street, including barangay roads not otherwise declared as national or provincial road which are under the jurisdiction of the City of Alaminos City, the speed limit shall be **Twenty Kilometers Per Hour (20 kph)** for all motor vehicles.

City streets classified as Crowded Streets are as follows:

1. Quezon Avenue – Central Business District
  2. Marcos Avenue – Central Business District
  3. San Jose Drive – Central Business District
  4. P. Reinoso St. – Central Business District
  5. Montemeyor St. – Central Business District
  6. C.P. Garcia St. – Central Business District
  7. F. Reinoso St. – Central Business District
  8. Vereciano St. – Central Business District
  9. Pag-asa St. – Central Business District
  10. Rabago St. – Central Business District
  11. Rapatalo St. – Central Business District
  12. Quintos St. – Central Business District
  13. Rivera St. – Central Business District
  14. B. Reinoso St. – Central Business District
- b) For all interior barangay roads of the City, the speed limit shall be **Twenty Kilometers Per Hour (20 kph)** which shall apply within 100-meter radius from schools, chapels, markets (talipapa), barangay halls, barangay auditoriums and recreational places.
- c) For all barangay roads along national highways, specifically roads within the territorial jurisdiction of barangays Alos, Inerangan, Lucap, Poblacion, Pogo and San Vicente, the speed limit shall be **Thirty Kilometres Per Hour (30 kph)** which shall apply within 500-meter radius from schools, chapels, markets (talipapa), barangay halls, barangay auditoriums and recreational places.

**Section 7. Exceptions.** — The speed limits prescribed in Section 6 shall not apply to drivers in the following circumstances, provided that these exceptions shall not be construed to allow unnecessary fast driving or to endanger the life, health or property of any person:

- a. The driver of a motor vehicle carrying a physician or health worker who is responding to an emergency call;
- b. The driver of a hospital ambulance or emergency vehicle on the way to and from the location of a road crash or other emergency;
- c. Any driver bringing a wounded, injured, 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 motor vehicle when he/she is in pursuit of a criminal;
- f. A law enforcement officer who is trying to apprehend a person in violation of traffic laws;
- g. The driver operating a motor vehicle of Bureau of Fire Protection (BFP) or any fire trucks/vehicles, while responding to an emergency.

**Section 8. Speeding.** —

- a. No person shall drive a motor vehicle on any road in this City at a rate of speed greater than that permitted by this Ordinance;
- b. No person shall drive a motor vehicle on any road in this City at a speed that is not appropriate for the width, traffic, grades, crossing, curvatures, visibility or other condition of the road, as to endanger the safety of road users and their property; and

- c. No person shall drive a motor vehicle on any road in this City at a speed greater than that which will permit the vehicle to stop within the assured clear distance ahead, in order to prevent a road crash.

**Section 9. Fines and Penalties.** — Fines and concurrent penalties. Any person who violates this Ordinance shall be subject to the following penalties:

<b>Offense</b>	<b>Fine</b>	<b>Concurrent Penalty</b>
a. First Offense	PhP 1,000.00	Four (4)-hour seminar on road safety
b. Second Offense	PhP 2,000.00	Four (4)-hour seminar on road safety and three (3) hours of community service
c. Third & Succeeding Offense/s	PhP 3,000.00	Impoundment of motor vehicle and imprisonment of not less than thirty (30) days, at the discretion of the court

A certificate of compliance with the road safety seminar and/or community service shall be required before the offender shall be allowed to pay the corresponding fine and retrieve his license.

12.1. Impoundment. In the event that the motor vehicle involved in a speeding violation is found to have been involved in a violation of Section 8 of this Ordinance for the third and subsequent offenses, the vehicle shall be impounded for five (5) days by the law enforcement officer duly deputized by the LTO. The driver's license of the driver of the offending motor vehicle shall not be released until the term of the impoundment of the motor vehicle has been served. The offending driver shall present the offending motor vehicle for impoundment at the city's designated impoundment lot.

12.2. Imprisonment. The City Traffic Management Council (CTMC), with the assistance of the City Legal Office, shall be responsible for the filing of cases before a competent Court for the third and subsequent violations of this Ordinance.

**Section 10. Effect of Failure to Settle Fines and Serve Penalties.** — In the event of failure to settle the fines or penalties within the period provided in this Ordinance, the CTMC shall file a complaint before the appropriate court for the enforcement of said fines or penalties. The CTMC shall also submit the details of the offending driver and registered owner to the LTO, requesting the said office to hold in abeyance the registration of the motor vehicle involved in the violation until such time that the fine is settled or the penalty is served. The unpaid fine shall be subject to an interest rate of one percent (1%) per month, but shall in no case exceed 72 months.

The CTMC shall endeavor to integrate its system to the LTO IT system to facilitate submission of details of offending drivers/motor vehicles and for information sharing regarding relevant information on crash data.

**Section 11. No Contest Provision.** — Any person apprehended for violation of this Ordinance who does not wish to contest the violation and is willing to pay voluntarily the penalty imposed upon him/her prior to the filing of formal complaint shall be allowed to pay the fine at the City Treasurer's Office to avoid being prosecuted.

**Section 12. Creation of the City Traffic Management Council.** — There shall be created a City Traffic Management Council (CTMC) which shall oversee the implementation of this Ordinance. The CTMC shall be composed of, but not limited to, the following:

- a) Chairperson - City Mayor
- b) Vice Chairperson - City Vice Mayor
- c) Members:
  - SP Chairperson on Transportation
  - SP Chairperson on Peace and Order
  - President, Liga ng mga Barangay
  - Chairman of the duly created Technical Working Group
  - Duly authorized representative of the Alaminos City Police Station
  - Duly authorized representative of the DPWH
  - Duly authorized representative of the LTO
  - Western Pangasinan Chamber of Commerce & Industry
  - Civil Society Organizations

**Section 13. Functions of the City Traffic Management Council.** — Under this Ordinance, the CTMC shall be responsible for the general supervision of and coordination with support agencies and offices regarding traffic management, ensuring safety of motorists and pedestrians and addressing traffic issues. It shall also constitute a Technical Working Group (TWG) tasked, among others, to formulate the Implementing Rules and Regulations (IRR) of this Ordinance. It shall recommend measures to improve traffic situation in the city.

The Technical Working Group (TWG) shall include, but not be limited to, the Public Order and Safety Office (POSO), the City Planning and Development Office (CPDO), the City Engineering Office (CEO), the City Legal Office (CLO), the Transportation Regulation Unit (TRU), the City Information Office (CIO), and the Alaminos City Police Station. The City Mayor may add other offices or agencies as necessary. The POSO shall be the lead agency in the implementation of provisions of this Ordinance.

**Section 14. Speed Limit Signs.** — The CTMC and the TWG are hereby directed to coordinate and cause the installation of appropriate traffic signs indicating the speed limits on all roads within the City of Alaminos. For National Roads, coordination with the DPWH shall be done on the installation of appropriate speed limit signs, which shall conform to the standards prescribed by the DPWH Manual on Highway Safety Design Standards.

In areas where no speed limit sign is installed, the default speed limit provided in Section 7 (a) of this Ordinance shall be observed.

**Section 15. Appropriation.** — The amount of One Million Five Hundred Thousand pesos (PhP 1,500,000.00) is hereby appropriated from the General Fund of the LGU – Alaminos City during the first year of implementation of this Ordinance. This appropriation shall cover the procurement of necessary equipment and to finance other expenditures, including, but not limited to:

- Procurement of speed guns and speed enforcement cameras
- Manufacture and installation of speed limit signs
- Publication of speed limits
- Printing of TCTs
- Training of LEOs

All fines collected pursuant to this Ordinance shall be earmarked for implementation of road safety ordinances and policies, in addition to the budget to be appropriated from the general fund for subsequent years, which shall not be less than the amount of the prior year's appropriation. The POSO shall include the implementation and enforcement of this ordinance in its annual budget plan.

Procurement for technology and equipment requirements in the implementation of this Ordinance shall be in accordance/compliance to RA 9184 or the Government Procurement Reform Act.

**Section 16. Implementing Rules and Regulations (IRR).** — The TWG, guided by the CTMC, shall formulate the IRR of this Ordinance within sixty (60) days upon approval, which shall cover the responsibilities of lead agencies, data collection, sharing, coordination and monitoring among agencies, enforcement procedure, apprehension procedure, and protest adjudication, among others. It shall recommend to the Local Chief Executive the adoption of the same through an Executive Order.

**Section 17. Repealing Clause.** — All ordinances and other issuances which are inconsistent with the provisions of this Ordinance are hereby repealed and/or modified accordingly.

**Section 18. Separability Clause.** — If, for any reason or reasons, any part or provision of this Ordinance shall be held unconstitutional or invalid, other parts or provisions hereof which are not affected thereby shall continue to be in full force and effect.

**Section 19 . Effectivity Clause.** — This Ordinance shall take effect upon compliance with statutory provisions in the enactment of an Ordinance.

**APPROVED.....**

I **HEREBY CERTIFY** to the correctness of the foregoing ordinance consisting of seven (7) pages including this page.

**LUZ B. VALE**  
Secretary

ATTESTED:

**JOSE ANTONIO MIGUEL Y. PEREZ**  
City Vice Mayor/Presiding Officer

**CAROLYN D. SISON**  
Majority Floor Leader

**CIRILO B. RADO**  
Minority Floor Leader

**VERNA S. D. RABAGO**  
Assistant Majority Floor Leader

**MICHELLE S. SEGUNDERA**  
Member

**JOSELITO O. FONTELERA**  
Member

**OSCAR A. BOLING, SR.**  
Member

**FROEBEL A. RANOY**  
Member

**DAHLIA M. DE LEON**  
Member

**RAUL B. BACAY, LBP**  
Ex-Officio Member

**APPROVED BY:**

**ARTH BRYAN C. CELESTE**  
City Mayor

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Date