



Republic of the Philippines
Province of Pangasinan
Municipality of Agno

SP SECRETARIAT OFFICE

Lingayen, Pangasinan

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By: *AMbenlamilla*

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OFFICE OF THE SANGGUNIANG BAYAN

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EXCERPTS FROM THE MINUTES OF THE 32ND REGULAR SESSION OF THE 11TH SANGGUNIANG BAYAN OF AGNO, PANGASINAN HELD AT ITS SESSION HALL ON FEBRUARY 6, 2023

Present:

- | | | |
|--------------------------------|---|---|
| HON. JONATHAN G. DOROMAL | - | Municipal Vice Mayor/Presiding |
| HON. RICHARD N. RAQUEL | - | SB Member |
| HON. KRISTINE N. FEBLE | - | SB Member |
| HON. LORNA N. NIVERA | - | SB Member |
| HON. ARCHIMEDES L. BUNDAL, JR. | - | SB Member |
| HON. EDILBERTO C. MANALASTAS | - | SB Member |
| HON. OBED N. SISON | - | SB Member |
| HON. ELMO N. NILO | - | SB Member |
| HON. CHARLIE DAVE C. ROSETE | - | SB Member |
| HON. RICHARD R. SALVADOR | - | President, Mun. Federated LnB |
| HON. JHON LESTER N. NAVIDAD | - | President, Pambayang Pederasyon ng mga SK |

Absent: None

X-X-X-X-X-X-X-X-X-X-X

Sponsors: Committee on Peace and Order chaired by Hon. Obed N. Sison, Committee on Transportation chaired by Hon. Edilberto C. Manalastas, and Committee on Rules and Privileges, Laws and Procedures chaired by Hon. Richard N. Raquel

MUNICIPAL ORDINANCE NO. 2022-07

AN ORDINANCE PROVIDING FOR VEHICLE TRAFFIC REGULATIONS IN THE MUNICIPALITY OF AGNO AND CORRELATIVE PENALTIES FOR VIOLATIONS

Be it Ordained by the 11th Sangguniang Bayan of Agno, Pangasinan, in Regular Session assembled:

SECTION 1. SHORT TITLE. This ordinance shall be known as the "Agno Traffic Ordinance of 2022."

SECTION 2. SCOPE OF APPLICATION. This ordinance shall be implemented on all roads, highways, streets, alleys, sidewalks, and bridges in the Municipality of Agno.

SECTION 3. DECLARATION OF POLICY. The Municipality of Agno hereby declares that it is its policy that the movement of people and commodities over the road network be as effective, safe, unhindered, and orderly as feasible for the municipality's economic and social vitality and viability;

SECTION 4. EXEMPTIONS FOR EMERGENCY VEHICLES. The driver of any emergency vehicle may do any of the following when it is expedient and safe to do so:

1. with 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;
2. stop, leave waiting, or park the vehicle at any place at any time; or
3. exceed the speed limits prescribed in Section 7 of this ordinance.

E.N. NILO

R.N. RAQUEL

C.D. ROSETE

N. FEBLE

R.R. SALVADOR

L.N. NIVERA

J.L. NAVIDAD

A.L. BUNDAL, JR.

J.G. DOROMAL

E.C. MANALASTAS

G.R. SISON

O.N. SISON



SECTION 5. DEFINITION OF TERMS. When used in this ordinance, the terms:

1. **Alcohol** – refers to alcoholic beverages classified into beer, wine, and distilled spirits, the consumption of which produces intoxication.
2. **Chemical tests** – refer to breath, saliva, urine or blood tests to determine the blood alcohol concentration level and/or positive indication of dangerous drugs and similar substances in a person's body.
3. **Dangerous drugs and other similar substances** – refer to drugs listed in the schedules annexed to the 1961 Single Convention on Narcotics Drugs, as amended by the 1972 Protocol, and in the schedules annexed to the 1971 Single Convention of Psychotropic Substances as enumerated in its attachment which is an integral part of Republic Act No. 9165, otherwise known as the "Comprehensive Dangerous Drugs Act of 2002" and those that the Board may reclassify, add to or remove from the list of dangerous drugs.
4. **Driver** – shall mean every and any licensed operator of a motor vehicle.
5. **Driving under the influence of alcohol** – refers to the act of operating a motor vehicle while the driver's blood alcohol concentration level has, after being subjected to chemical test by the Municipal Health Officer or his duly authorized representative, reached the level of intoxication, as established jointly by the Department of Health (DOH), the National Police Commission (NAPOLCOM), and the Department of Transportation and Communications (DOTC).
6. **Driving under the influence of dangerous drugs and other similar substances** – refers to the act of operating a motor vehicle while the driver, after being subjected to a confirmatory test as mandated under Republic Act No. 9165, is found to be positive for use of any dangerous drug.
7. **Foot Peg** – refers to a flat form attached to the motorcycles on which to stand or brace the feet.
8. **Minor** – any person below eighteen years of age.
9. **Motorcycle** – refers to any two-wheeled motor vehicle having one or two riding saddles.
10. **Motor Vehicle** – shall mean any vehicle propelled by any power other than muscular power.
11. **Public Roads** – refer to roads designated by the national government or local government units as roads for public use such as, but not limited to, national highways, provincial roads, city, municipal, and barangay streets.
12. **Public Utility Vehicles** – refer to motor vehicles for hire and used to carry or transport passengers or goods.
13. **Rider** – refers to the driver of a motorcycle.
14. **Seat belt device** – shall refer to any strap, webbing or similar device in the form of pelvic restraint or lap belt, upper torso restraint or shoulder strap or a combination thereof designed to secure a person in a motor vehicle in order to mitigate the results of any accidents.

R.N. RAQUEL

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SECTION 6. TRAFFIC VIOLATIONS. The following acts or omissions in the operation of any motor vehicle, the use of thoroughfares, and declared traffic violations with corresponding fines, upon the discretion of the court:

VIOLATIONS	FINE (PHP)
Violations concerning licensing:	
1. Driving without license	900.00
2. Driving while under the influence of alcohol	900.00
3. Driving under the influence of dangerous drugs and other similar substances	900.00
4. Allowing an unlicensed/improperly licensed to drive motor vehicle	900.00
5. Possession and use of fake driver's license	900.00
6. Allowing another person to use his driver's license	900.00
7. Use and involvement of motor vehicle by the driver in commission of a crime	900.00
8. Student driver operating a motor vehicle without being accompanied by a licensed driver	500.00

Violations Concerning Registration:	
9. Operating a motor vehicle which is unregistered/improperly registered/delinquent or with invalid registration	900.00
10. Operating a motor vehicle with unregistered substitute or replacement engine, engine block or chassis, change color, change body or configuration	900.00
11. Failure to carry in the motor vehicle the Certificate of Registration (CR) and Official Receipt (OR), original or photocopies	500.00
Violations concerning number plates and stickers	
12. Motor vehicle plates not firmly attached and visible	200.00
13. Dirty or uncared for plates	200.00
14. License plates different from body number on Public Utility Vehicle	500.00
15. Improper display of motor vehicle plates by owner to accommodate a better display of commemorative/other plates	500.00
16. Display of expired commemorative/other plates	500.00
17. Tampered/marked plates/stickers	500.00
18. Illegal transfer and use of motor vehicle plates/tags or stickers from one motor vehicle to another except security plates on authorized vehicle	900.00
Violations relative to equipment parts, accessories, devices and marking of motor vehicle	
19. Operating motor vehicle with metallic tires in any public highway	500.00
20. Defective brakes	300.00
21. Improper/defective horn or signaling device	300.00

E.N. NILD
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23. Unnecessary lights visible in front of vehicle	300.00
24. Without/defective headlights/taillights	300.00
25. Without red rear, lights at both/each side visible at least 100 meters from vehicle	300.00
26. Without plate light	300.00
27. Without opening brake lights	300.00
28. Without/defective wiper on the windshield	200.00
29. Without cut/disconnected muffler or defective/blaring/noisy muffler	900.00
30. Dirty/unsightly dilapidated motor vehicle	500.00
31. Failure to paint or improper painting of authorized route of plates	500.00
32. Non-painting of business or trade name	500.00
33. Use of unauthorized improvised plates	500.00
34. Use of improvised plates to make motor vehicle appear as for hire	500.00

For motor vehicles operated for hire:	
35. Dirty/unsanitary defective unit	500.00
36. Without/defective hand brakes	500.00
37. Without/defective speedometer or tachometer	300.00
38. Defective or broken windshield wiper	300.00
39. Without rear view mirror	300.00
40. Without interior light	300.00
41. No spare tire	300.00
42. Use of unauthorized bell, siren or exhaust whistled on emergency	500.00
43. Name of business name and address not inscribed on both sides of motor vehicle used for public service	500.00
44. No red flag or red lights on projecting end of load extending more than a meter beyond the bed or body	500.00
45. Failure to paint appropriate body number on a motor vehicle for hire on both sides	500.00
46. Failure to carry Early Warning Device (EWD)	300.00
47. Failure to install EWD four meters away to the front and rear of stalled/disabled motor vehicle	300.00
48. No capacity marking	300.00
49. Installation of jalousies, curtains, dim colored lights, strobe lights, dancing lights or similar lights/tinted colored or painted windshield or window glass	400.00
50. No permanent tailgate or failure to put "NOT FOR HIRE"	300.00
Violations concerning weights and load limits:	
51. Load extending beyond projected width without permit	500.00
52. Overloading	500.00

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53. Allowing more passengers and/or more freight or cargo in vehicle beyond the registered carrying capacity	500.00
54. Baggage or freight carried on top of truck/jeep exceeds 20 kilos per square meter and distribution of such endangers in the passenger or stability of the truck/jeep	500.00
55. Allowing/consenting/permitting a minor to drive	900.00
56. Reckless Driving	500.00
57. Out of line (operating a motor vehicle outside of line without permit)	500.00
58. Colorum operation (operator)	500.00
59. Colorum operation (driver)	500.00
60. Refusal to convey passengers to proper destination/trip cutting	400.00
61. Driving against the flow of traffic (counter flow)	300.00
62. Illegal overtaking	400.00
63. Overtaking at an unsafe distance	400.00
64. Cutting an overtaken vehicle-driving to the right of the highway	400.00
65. Failure to give way to an overtaking vehicle	400.00
66. Increasing speed when being overtaken	400.00
67. Overtaking upon the curve	400.00
68. Overtaking at an intersection	400.00
69. Overtaking between men working or at a caution sign	400.00
70. Overtaking at a no overtaking zone	400.00
71. Failure to yield the right of way to an Ambulance or Emergency call vehicles	500.00
72. Obstruction	400.00
73. Unauthorized bell, siren, or exhaust whistle	500.00
74. Allowing passenger/s on top of cover of vehicle	500.00
75. Stopping on the bridge	500.00
76. Loading/Unloading in the middle of the road	500.00
Illegal Parking whether attended or unattended:	
77. Within an intersection	400.00
78. On a crosswalk	400.00
79. Within four (4) meters from the driveway entrance to any fire hydrant	400.00
80. Within six (6) meters of the intersection of curb lines	400.00
81. Any place where official sign have been erected prohibiting parking	400.00
Other violations:	
82. Violating Speed Limit	400.00
83. Weaving	400.00
84. Lane straddling	400.00
85. Sudden stops	400.00

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[Signatures]



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86. swerving	400.00
87. Failure to use seat belts	400.00
88. Infants, toddlers, and other children under six (6) years old sitting in front seat of any kind of vehicle	700/00
89. Children boarding two-wheeled vehicle, unless the child can conformably reach his/her feet on the standard foot peg of the motorcycle, or the child's arms can reach around and grasp the waist of the motorcycle rider, or the child is wearing a standard protective helmet, or if the child to be transported requires immediate medical attention	700.00
90. Failure to wear standard protective motorcycle helmet prescribed by the DTI, bearing the Philippine Standard (PS) Mark or Import Commodity Clearance (ICC) of the Bureau of Product Standards (BPS)	500.00
91. Using electronic and communication devices while driving	500.00

SECTION 7. SPEED LIMIT. The rate of speed of any motor vehicle shall not exceed the following:

1. On open country roads, with no "blind corners" not closely bordered by habitations: 80 km/hr for private vehicles and motorcycles; 50 km/hour for motor trucks, Public Utility Jeeps (PUJs), and buses, and 40 km/hour for tricycles.
2. On "through streets" and highways, clear of traffic and no "blind corners" when so designated: 40 km/hour for private vehicles and motorcycles; 30 km/hour for motor trucks, PUJs, buses and tricycles.
3. On Municipal streets with light traffic when not designated "through street": 30 km/hour for private vehicles, motorcycles, motor trucks, PUJs, buses, and tricycles.
4. Through crowded street approaching intersection, at "blind corners", passing school zones, passing vehicle which is stationary, or for similar dangerous circumstances: 20 km/hour for all types of motor vehicles.

SECTION 8. TRAFFIC CITATION TICKETS.

1. Any person apprehended for violating any provision (s) of this Ordinance shall be issued a Traffic Citation Ticket in the form prescribed for the purpose and to be issued by the apprehending officer of the Philippine National Police and/or any duly authorized personnel by the Municipal Mayor, with proper identification.
2. In the absence of the offending owner, operator, or driver, the apprehending officer shall place the Traffic Citation Ticket conspicuously on the vehicle.
3. The offender shall comply with the provisions of the Traffic Citation Ticket within the number of days prescribed therein.
4. Traffic Citation Tickets shall be issued to the erring vehicle driver, owner, or operator who will be cited for violation.

R.N. RAQUEN

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SECTION 9. ENFORCEMENT OF TRAFFIC RULES. The enforcement of rules and regulations related to the use of all streets, thoroughfares, alleys, bridges, sidewalks and other places intended for transportation and pedestrians shall be enforced by the Agno PNP and/or any duly authorized personnel by the Municipal Mayor, with proper identification.

SECTION 10. PAYMENT AND COLLECTION OF FINES. All fines as herein prescribed shall be paid to the Municipal Treasurer not later than five (5) working days after apprehension. Official Receipt shall be issued upon payment.

SECTION 11. NO CONTEST PROVISION. Any person who is cited for violation of any provision of this Ordinance who does not want 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 said fine with the Municipal Treasurer's office to avoid being prosecuted. Corresponding official receipt shall be issued upon payment.

The violator shall be given five (5) working days from issuance of the Citation Ticket within which to pay the fine/penalty, otherwise, a case shall be filed against the violator.

SECTION 12. LEGAL BASIS. This ordinance is enacted pursuant to Section 447 (a) (5) (v) and (vi), Section 17 (a) (b) (2) (viii), Section 447 (3) and (4), of the Local Government Code of 1991.

SECTION 13. MINOR DRIVING. It shall be unlawful for owners of motor vehicles, motorcycles, tricycles, and other automobiles to let, allow, consent, permit or tolerate, or by negligence, cause any minor from driving within the territorial jurisdiction of Agno, Pangasinan. The registered owner of the automobile/motor vehicle shall be presumed the owner thereof for purposes of imposing the penalty or fine.

Suppose the registered owner of the automobile/motor vehicle being used by a minor is either untraceable or unable to appear at the Office of the apprehending officer, in that case, the minor's parents or guardian are accountable or liable to the offense due the minor being involved.

SECTION 14. TRAFFIC SIGNS, SIGNALS, AND ROAD MARKINGS. The Office of the Municipal Mayor is hereby authorized to install all traffic signs, signals and road markings intended to inform drivers and regulate the use of streets, alleys, bridges and sidewalks.

SECTION 15. MUNICIPAL TRAFFIC MANAGEMENT OFFICE. A Municipal Traffic Management Office shall be created through the enactment of a separate ordinance. The Office of the Municipal Mayor or his duly authorized Representative, with proper identification shall enforce traffic management in the Municipality pending the enactment of the appropriate ordinance.

SECTION 16. APPROPRIATION. The sum of Ten Thousand (P10,000.00) Pesos shall initially be allocated for the initial printing of the Traffic Citation Tickets, to be charged from the MOOE of the Mayor's Office. Thereafter the costs of the subsequent printings shall be charged to the accumulated collection of fines and penalties for traffic violations.

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SECTION 17. RELATION TO NATIONAL LAWS, RULES, AND REGULATIONS CLAUSE. This ordinance was carefully prepared so as not to conflict with any national law. Should there be such a conflict, the national laws, rules, and regulations shall prevail and the case shall be indorsed to the Department of Transportation/Land Transportation Office or the Philippine National Police who has the authority to handle the case.

No provision in this ordinance or any ordinance of this Municipality shall be construed to prohibit the DOTr-LTO or any National Government Agencies to come in the territory of Agno, Pangasinan to enforce a national laws, rules, and regulations.

SECTION 18. SEPARABILITY CLAUSE. If any provision or part of this Ordinance shall be declared unconstitutional or invalid, the same shall not affect the constitutionality or validity of the other provisions or parts hereof.

SECTION 19. REPEALING CLAUSE. If any provision or part of any existing ordinance is not consistent with this Ordinance, the same is hereby repealed or modified accordingly.

SECTION 20. EFFECTIVITY. This Ordinance shall take effect fifteen (15) days after three (3) consecutive weeks of publication in a newspaper of General circulation in the Province of Pangasinan.

RE-ENACTED by the 11th Sangguniang Bayan of Agno, Pangasinan, in its 32nd regular session held on **February 6, 2023**, at Agno, Pangasinan.

I hereby certify to the correctness of the foregoing ordinance:


JULIE P. REGINO
SB Secretary

ATTESTED:

SANGGUNIANG BAYAN MEMBERS


RICHARD N. RAQUEL


KRISTINE N. FEBLE


LORNA N. NAGAL


ARCHIMEDES L. BUNDAL, JR.


EDILBERTO C. MANALASTAS


OBED N. SISON


ELMO N. NIÑO

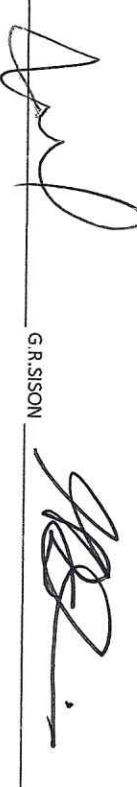

CHARLIE DAVE C. ROSETE


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ATTESTED:


JONATHAN G. DOROMAL
Municipal Vice Mayor/Presiding

APPROVED:


GUALBERTO R. SISON
Municipal Mayor

Date: 02 - 22 - 2023

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