



Republic of the Philippines
Province of Cavite
OFFICE OF THE SANGGUNIANG PANLALAWIGAN
Trece Martires City



EXCERPT FROM THE MINUTES OF THE 20TH REGULAR SESSION OF THE SANGGUNIANG PANLALAWIGAN HELD AT THE NEW SESSION HALL, CAPITOL BUILDING, TRECE MARTIRES CITY ON AUGUST 27, 2001

PRESENT:

HON. JUANITO VICTOR C. REMULLA, JR. Vice-Governor/Presiding Officer
HON. ALEX I. ADVINCULA Acting Presiding Officer
HON. HERMOGENES C. ARAYATA III Majority Floor Leader
HON. DOMINIC R. TOLENTINO Minority Floor Leader
HON. BERNARD MICHAEL BALDISTA Sanggunian Member
HON. RAFAEL S. RODRIGUEZ Sanggunian Member
HON. ILUMINADA SILAO Sanggunian Member
HON. HILDA P. MENDOZA Sanggunian Member
HON. STRIKE B. REVILLA (OB) Sanggunian Member
HON. ARLEEN C. ARAYATA ABC Prov'l. Fed. Pres.
HON. FRANCISCO L. MENDOZA, JR. SK. Prov'l. Fed. Pres.

ABSENT:

HON. CESARIO R. DEL ROSARIO, JR. Assistant Minority Floor Leader
HON. TEODORO S. SANCHEZ Sanggunian Member
HON. FELIX A. GREPO SB Prov'l. Fed. Pres.

RESOLUTION NO. 286-S-2001

On motion of Honorable Hermogenes C. Arayata III, duly made and seconded by all the Members present, LET IT BE RESOLVED, AS IT IS HEREBY RESOLVED, to enact an ordinance which shall be known as the "TRAFFIC CODE OF THE PROVINCE OF CAVITE".

UNANIMOUSLY APPROVED.

PROVINCIAL ORDINANCE NO. 003-S-2001
(Implementing Resolution No. 286-S-2001)

AN ORDINANCE KNOWN AS THE "TRAFFIC CODE OF THE PROVINCE OF CAVITE".

Be it enacted by the Sangguniang Panlalawigan in session duly assembled that:

TRAFFIC MANAGEMENT
ORDINANCE OF THE PROVINCE OF CAVITE

ARTICLE I
TRAFFIC REGULATION

SECTION 1. PURPOSE OF ORDINANCE

- To establish appropriate rules and regulations relative to traffic management and safety in order to ensure safe, orderly and smooth flow of vehicles, people and goods in the Province of Cavite. This Ordinance shall be known as the TRAFFIC CODE OF CAVITE;
- To strengthen the traffic system; prevent the irregular use of the streets and highways and safeguard commuters, pedestrians and motorists; Likewise, prevent anomalous apprehensions and streamline and simplify the regulations thereof; and
- To hasten the establishment and implementation of a Traffic Safety Program for the Province of Cavite.

ARTICLE II
DEFINITIONS

SECTION 1. DEFINITION OF WORDS AND PHRASES - The following words and phrases when used in this Traffic Code shall, for the purposes mentioned thereof, have the meaning respectively described to them in this article, unless it shall be apparent from the context that a different meaning is intended.

SECTION 2. ABANDONED VEHICLE - Any vehicle left unattended for more than twenty-four (24) hours on a public highway.

SECTION 3. ACCEPTABLE EMISSION LEVELS - Refers to exhaust emission that conforms with established standards as determined and measured by the Ringelmann's Smoke Chart for gasoline fed vehicles and Hartridge smoke meter for diesel fed vehicles.

SECTION 4. AUTHORIZED EMERGENCY VEHICLE, ETC.

- (1) **Authorized emergency vehicle.** Any vehicle of the police and fire departments of the

Province of Cavite, or any of its cities/municipalities or of an agency having similar functions of law enforcement and fire protection as the police and fire departments of the Cavite, the official car of the Provincial Governor, any vehicle privately owned by police officers designated and approved by the Provincial Director to be used by them in the performance of their duties and any provincial, city/municipal and national ambulance. It shall also mean any other vehicle, including vehicles under private ownership, as may be designated by ordinance passed by the Sangguniang Panlalawigan after inspection by and approval of the Provincial Director of the Cavite Provincial Police Office.

(2) **Authorized maintenance vehicle.** Any vehicle of Cavite, which is used in street lighting, traffic signal, highway construction and highway repair and maintenance work. All vehicles used in public utilities construction and repair and maintenance work by public utility corporations that are designated as authorized maintenance vehicles by ordinance passed by the Sangguniang Panlalawigan and which are registered as such with the Police Department.

(3) **Authorized low vehicles.** Any vehicle specially constructed for towing vehicles, other than trucks and farm or road tractors, which is designated as an authorized low vehicle by the Provincial Director.

SECTION 5. BIKER'S HELMET - Refers to any headgear worn as protection against head injury usually worn by Professional / Amateur cyclist and Mountain Biker enthusiasts.

SECTION 6. CRASH HELMET - Refers to any headgear made of or strengthened with any hard materials work as protection against head injury in accordance with the standard prescribed by the Safety Organization of the Philippines, Inc. (SOPFI) and by any agency of the government charged with the protection of the Health and Safety of the motoring public.

SECTION 7. CARGO TRUCKS - shall be understood to mean those having license plates of the following classifications: "S", "T", "TC", and other delivery vehicles, whether loaded or empty which have a gross capacity of 3,000 kilos.

SECTION 8. DISABLED PASSENGERS - Those who are crippled and/or totally blind with one escort, if accompanied.

Disabled Persons - Disabled persons for purposes of this ordinance may be classified into those who have

- Impairments requiring confinement to wheelchairs;
- Impairments causing difficulty or insecurity in walking or requiring the use of braces, crutches or other artificial support; or impairments caused by amputation, arthritis, spastic condition, pulmonary cardiac or other illness rendering individual semi-ambulatory;
- Total or partial impairments of hearing or sight causing insecurity or likelihood of exposure to danger in public places.
- Impairments due to conditions of aging and coordination;
- Mental impairments whether acquired or congenital in nature; and
- Such other persons as may be validated by CPTOM upon recommendation of the Provincial Welfare Official.

SECTION 9. DISPATCHER - any person who does or commits the act defined as to dispatch or dispatching.

DISPATCHING OR TO DISPATCH is the act of procuring or soliciting, or feigning to procure, solicit, or meeting or escorting passengers or would-be passengers to any passenger bus, truck, pick-up, tricycle or jeepney, regardless as to whether such act is done under direction of the operators, driver or conductor of such vehicle / vehicles or one who as a third person, with or without collecting or demanding fees as commission from the operator, owner, driver, conductor or passenger of such vehicle.

SECTION 10. EXPLOSIVES, ETC.

(1) **Explosives.** Any chemical compound or mechanical mixture that is commonly used or intended for the purpose of producing an explosion and which contains any oxidizing and combustible units or other ingredients in such proportions, quantities, or packing that an ignition by fire, by friction, by concussion, by percussion, or by detonator of any part of the compound or mixture may cause such a sudden generation of highly heated gases that the resultant gaseous pressures are capable of producing destructive effects on contiguous objects or of destroying life or limb

(2) **Flammable Liquids.** Any liquid which has a flash point of 70°F or less, as determined by a tubular or equivalent test device.

SECTION 11. GROSS WEIGHT - The combined weight of a vehicle and the weight of any load thereon.

SECTION 12. HEAVY DELIVERY VEHICLES - Vehicles having more than 4 wheels and four-wheeled vehicles using jeep trailers or similar contrivances with wheels.

SECTION 13. HORN — "Horn" shall include every device for signaling by sound.

SECTION 14. HORSE — "Horse" wherever this term is used in these rules shall be construed as meaning any draft animal.

SECTION 15. INTERSECTION — Includes every part of a public highway, which joins another at an angle, whether or not it crosses the other.

SECTION 16. INTER-URBAN PASSENGER BUSES AND INTER-URBAN PASSENGER JEEPNEYS — shall consequently be understood to mean those whose routes (or origin-destination) lines extend beyond boundaries of the Province of Cavite.

SECTION 17. INTER-URBAN TRUCKS, INTER-URBAN TAXIS, AND INTER-URBAN AUTO CALESAS — shall therefore be construed to mean those whose principal and primary place of operation is in Cavite as their starting station to places beyond Cavite and return to Cavite.

SECTION 18. LIGHT DELIVERY VEHICLES — Vehicles having 4 wheels or less.

SECTION 19. MAIL BOXES — Boxes, receptacles or containers placed along the public streets or highways, owned, maintained or used by the Philippine Postal Service for the deposit, storage and collection of mail.

SECTION 20. MOTORCYCLE FOR HIRE — shall mean a motorized tricycle used or intended to be used in transporting passengers for a fee.

SECTION 21. MOTORIZED TRICYCLES — A motor vehicle having three wheels to include a motorcycle with a sidecar.

SECTION 22. MOTORIZED TRICYCLE DRIVER'S PERMIT — is a document granting right and/or privilege to any person who is physically and mentally fit to operate motorcycles-for-hire within Cavite. This document is similar to that issued by the Land Transportation Office to applicants/permittees to operate four-wheeled vehicles. It shall contain full name and address of the applicant/permittee, his blood type, the license number, the issuing agency/office, the effective date of validity and expiry of the said document.

SECTION 23. MOTORIZED TRICYCLE OPERATOR'S PERMIT (MTOPO) — is a document granting franchise / provisional authority to operate motorcycle-for-hire which shall be issued to a person, natural or judicial, allowing him / her to operate motorcycles-for-hire over routes specified therein. MTOPO shall be valid for not more than three (3) years.

It shall also mean any vehicle propelled by any power other than muscular power using the public highways, but exempting road rollers, trolley cars, street sweepers, sprinklers, lawn mowers, bulldozers, graders, forklifts, amphibian trucks and tractors, trailers and traction engines of all kinds, used exclusively for agricultural purposes.

SECTION 25. MUFFLER — The term "muffler" when used in this Code shall mean a device consisting of a series of baffle plates, or chambers, or perforated tube or tubes with spun glass, spun steel or other type of sandwich packing, or other mechanical design or construction, for the purpose of receiving exhaust gas and effectively reducing exhaust noise from the motor of a motor vehicle.

SECTION 26. NOISE, EXCESSIVE OR UNUSUAL — The words "excessive or unusual noise" when used in this Code shall mean noise in excess of the usual noise which would necessarily result from the operation of a motor when reduced to the minimum by a muffler such as defined in this Code.

SECTION 27. OFFICIAL TIME STANDARD, ETC.

(1) **Official Time Standard.** Whenever certain hours are named herein it shall mean standard time or daylight saving time as may be in current use in Cavite.

SECTION 28. PARKING — The standing of a vehicle, whether occupied or not, otherwise than temporary for the purpose and while actually engaged in loading and unloading either freight or passengers.

SECTION 29. PARKING METER, ETC.

(1) **Parking Meter.** A mechanical device located or installed within or upon the curb or sidewalk area or public parking area, immediately adjacent to a parking space. The device shall record a certain number of minutes or hours by the use of a time measuring device which shall determine the period of time for which parking privileges shall be extended to any person by depositing the required coin and operating the actuating device as hereinafter set forth.

(2) **Parking Meter Zone.** Those streets or portion of streets established by ordinance as zones in which the parking of vehicles upon these streets shall be regulated by parking meter.

(3) **Parking Meter Space.** The phrase "parking meter space" shall mean any space which is within a parking meter zone, adjacent to a parking meter and which is duly designated for the parking of a single vehicle by lines painted or otherwise durably marked on the curb or on the surface of the street adjacent to or adjoining the parking meters.

SECTION 30. PEAK TRAFFIC HOURS

(1) **Morning Peak Traffic Hours.** The terms "morning peak traffic hours" and "morning peak period" as used in this Code shall mean the hours from 5:00 a.m. to 9:00 a.m. and 11:30 a.m. to 12:00 p.m. or the prescribed time limit during the morning hours designated by official signs during which the stopping, standing or parking of vehicles, even momentarily, would create a hazardous condition, or would cause unusual delay to traffic, or otherwise impede the flow of traffic.

(2) **Afternoon Peak Traffic Hours.** The terms "afternoon peak traffic hours" and "afternoon peak period" as used in this Code shall mean the prescribed time limit during the afternoon hours designated by official signs during which the stopping, standing or parking vehicles, even momentarily, would create a hazardous condition or would cause unusual delay to traffic, or otherwise impede the flow of traffic; it shall mean the hours from 5:00 p.m. to 9:00 p.m. Any such regulations regarding the stopping, standing, or parking of vehicle upon any street, streets, or highways shall become effective on and after the date of erection of appropriate signs indicating such regulations.

SECTION 31. PEDAL OPERATED TRICYCLE — is a vehicle having three (3) wheels and operated by means of a pedal to include bicycle with side car.

SECTION 32. PEDAL OPERATED TRICYCLE FOR COMMERCIAL USE — is being used to transport commercial goods of its owner for delivery to customers.

SECTION 33. PEDAL OPERATED TRICYCLE FOR HIRE — is being used or intended to be used in transporting goods for a fee.

SECTION 34. PEDAL OPERATED TRICYCLE OWNER DRIVEN — is being used by its owner for transport of his own goods.

SECTION 35. PEDESTRIAN LANE — is any strip of roadway delineated by broken or unbroken lines intended solely as passageway for pedestrians.

SECTION 36. PERSONS, ETC.

(1) The term "disabled person" shall mean and include any person who has suffered the complete loss of use of one or both of his hands, feet or legs, or who has had one or both hands, feet or legs amputated and bearing certification by the Provincial Welfare Office properly identifying such person as being disabled within the meaning of this Code.

(2) **Driver.** Every person who drives or is in actual physical control of a vehicle.

(3) **Owner.** A person who holds the legal title of a vehicle. In the event a vehicle is the subject of an agreement for the conditional sale or lease thereof with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee, or in the event a mortgagor or a vehicle is entitled to possession, then such conditional vendee or lessee or mortgagor shall be deemed the owner for the purpose of this Ordinance.

(4) **Pedestrian.** Any person afoot or in an invalid chair or similar vehicle propelled by a person afoot.

(5) **Person.** Every natural person, firm, co-partnership, association or corporation.

(6) **Police Officer.** Any police officer of the Cavite Provincial Police Office and any other officers authorized by the Provincial Governor and the Provincial Director to direct or regulate traffic or to make arrests for violations of traffic regulations and such other officers as are authorized by law.

SECTION 37. PERSONS CARRYING AN INFANT — shall pertain exclusively to the person and the infant she / he is carrying who has not yet learned how to walk.

SECTION 38. PROVINCIAL PASSENGER BUSES AND PROVINCIAL PASSENGER JEEPNEYS — shall be understood to mean those routes (or origin-destination) lines coming and going to points in Metro Manila and Southern Tagalog Regions.

SECTION 39. PROVINCIAL TRUCKS, PROVINCIAL TAXIS AND PROVINCIAL AUTO CALESAS — shall be construed to mean those whose principal and primary places of operation are on municipalities and cities outside of Cavite, and with such places as their starting stations, come to Cavite and return to their starting station.

SECTION 40. PUBLIC HOLIDAY — shall be construed to mean all legal holidays now existing, or such as may be subsequently specifically proclaimed by the President of the Philippines and Sundays.

SECTION 41. RIGHT-OF-WAY, ETC.

(1) **Right-of-Way.** The privilege of the immediate priority of use of the road-way.

(2) **Yield Right-of-Way.** The term "yield right-of-way" when required by an official sign shall mean the act of granting the preference to another vehicle or pedestrian within the intersection and to such vehicles or pedestrians approaching from the right or left to proceed in a lawful manner, but when the road-way is clear may then proceed into the intersection.

SECTION 42. SAFETY GLASS - The term "safety glass" shall mean any product composed of glass, so manufactured, fabricated or treated, as substantially to prevent shattering and flying of the glass when struck or broken, or such other similar product as may be approved by the Land Transportation Office.

SECTION 43. SAFETY ZONE, ETC.

(1) **Curb Loading Zone**. A space adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers, materials, or freight.

(2) **Freight Curb Loading Zone**. A space adjacent to a curb for the exclusive use of vehicles during the loading or unloading of freight.

(3) **Passenger Curb Loading Zone**. A place adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers.

(4) **Safety Zone**. The area or space officially set apart within a roadway for the exclusive use of pedestrians and which is protected or so marked or indicated by adequate signs as to be plainly visible at all times while set apart as a safety zone.

(5) **Tow or Tow-Away Zone**. Any street or highway portions thereof, designated by the Sangguniang Panlalawigan by Ordinance as a tow or tow-away zone, wherein the parking, stopping or standing of vehicles is prohibited entirely or during specific hours.

SECTION 44. SENIOR CITIZENS - All natural persons who are sixty (60) years old and above with proper identification cards.

SECTION 45. SCHOOL, ETC.

(1) **School**. When used in this Code school shall mean any public or private organization giving regular instruction and having an average daily attendance of fifty students or more.

(2) **School Crossing Zone**. That portion of any street or public property or way within or within any school zone which the Traffic Engineer may designate for the crossing of those attending a school.

(3) **School Zone**. The term "school zone" shall mean each and every street and all public property or ways within one thousand (1,000) feet of the boundaries of any school.

SECTION 46. STAND OR STANDING - The halting of a vehicle, whether occupied or not, otherwise done for the purpose of and while actually engaged in receiving or discharging passengers.

SECTION 47. STOP, ETC.

(1) **Stop**. When required means complete cessation of movement.

(2) **Stopping**. When prohibited means any halting even momentarily, of a vehicle whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with directions of police officer, or any other persons authorized to direct and regulate traffic control sign or signal.

(3) **Stop Line**. When used in this Code, a "stop line" shall mean a clearly visible, solid white line or lines extending across a roadway or any portion thereof to indicate the point at which all vehicles of whatever class are required to stop in compliance with the requirements of this Code.

SECTION 48. STREET, ETC.

(1) **Acceleration Lane**. A short supplementary traffic lane immediately adjacent to an intersection by use of which vehicles may enter the intersecting roadway and accelerate to the general speed of a passing traffic thereon before emerging onto the continuous lanes of such roadway.

(2) **Alley**. A narrow street within a block primarily used as a means of access to the rear of residences and business establishments and not designed for general traffic.

(3) **Center of Intersection**. When used in this Code shall mean the point of intersection of the centerlines of the roadways of intersecting highways.

(4) **Center of Centeline**. When used in this Code shall mean a continuous or broken line marked upon the surface of a roadway by paint or by other traffic control devices to indicate that portion of the roadway allocated to traffic proceeding in the two opposite directions and if the line is not so painted or otherwise marked or indicated, it is an imaginary line in the roadway equally distant from the edges or curbs of the roadway.

(5) **Channelized Intersection**. The intersection of two or more streets whereat traffic is directed by means of raised curbs or painted pavement markings along a special lane or channel for right turns, left turns or straight through movements.

(6) **Crosswalk**

(a) **Marked Crosswalk** - Any portion of a roadway, at an intersection or elsewhere, distinctly indicated for pedestrian crossing by lines or other markings on the surface.

(b) **Unmarked Crosswalk** - That part of the roadway, at an intersection included within the connections of the lateral lines of the sidewalks on opposite sides of the highway, measured from the curbs or, in the absence of curbs, from the edges of the traversable roadway.

(7) **Deceleration Lane**. A short supplementary traffic lane immediately adjacent to an intersection by use of which vehicles may leave the continuous lanes of a roadway and decelerate for a stop or a turn without retarding the flow of traffic on the continuous lanes of the roadway.

(8) **Divided Highway**. A highway divided into two or more separate roadways by medial strips.

(9) **Limited-Access Highway**. Every highway, street, or roadway in respect to which owners or occupants of abutting property or lands and other persons have no legal right of access to or from the same except at such points only and in such manner as may be determined by proper authority.

(10) **Intersection**. The area embraced within the prolongation or connection of the lateral curb lines, or, if none, then the lateral boundary lines of the roadways of two highways which join at, or approximately at, right angles, or the area within which vehicles traveling upon different highways joining at any other angle may come in conflict.

(11) **Laned Roadway**. A roadway which is divided into two or more clearly marked lanes for vehicular traffic.

(12) **Main Street**. Any wide and continuous street distinguished from an alley and a narrow traversing street.

(13) **Multiple Lane Highway**. When used in this Code shall mean any public highway the roadway of which is of sufficient width to reasonably accommodate four or more separate lanes of vehicular traffic, two or more lanes in each direction, each lane of which shall be not less than eight feet in width and whether or not such lanes are marked and whether or not the lanes of opposite bound traffic are separated by a neutral zone or other center line marking.

(14) **Medial Strip**. A strip or area lying along the middle and between the paved portions of a highway which is designed to divide vehicular traffic on such highway into two opposite directions. The term shall not include traffic lanes painted on a highway, nor the portion of such highway enclosed by said traffic lines.

(15) **Private Road on Driveway**. Every way or place in private ownership and used for vehicular travel by the owner and those having expressed or implied permission from the owner.

(16) **Reversible Lane**. When used in this Code shall mean a lane of a two or more laned roadway upon which traffic may be directed to move in a direction opposite from its normal direction of movement by means of lane-control signals or other devices in conjunction with official signs.

(17) **Roadway**. That portion of a street or highway improved, designed, or ordinarily for vehicular travel, exclusive of the beam or shoulder. In the case of highway, it includes two or more separate roadways, the term "roadway" as used herein shall refer to any such roadway separately but not to all such roadways collectively.

(18) **Sidewalk**. That portion of a street between the curb lines or the lateral lines of a roadway, and the adjacent property lines intended for the use of pedestrians.

(19) **Signalized Intersection**. When used in this Code shall mean an intersection where traffic is controlled by official traffic control signal.

(20) **Street or Highway**. The entire width between the property lines of every way publicly owned and maintained when any part thereof is open to the use of the public for purposes of vehicular travel or any private street, highway or thoroughfare which for more than five years has been continuously used by the general public.

(21) **Street Block**. When used in this Code shall mean one side of any street, the length of such side extending between two consecutive intersections; or, in the case of a dead-end street, one side of such dead-end street, the length of such side extending between the dead-end and the nearest intersection.

(22) **Traffic Island**. A defined area between traffic lanes, or a median or outer separation within an intersection.

(23) **Through Street**. Any street or highway or part thereof on which vehicular traffic is given preferential right-of-way, and at the entrance of which are signs requiring every operator to bring his vehicle to a full stop before entering or crossing such street or highway except when traffic of such points of entrance or crossing is controlled by police officers, any other persons authorized to direct and regulate traffic, or official traffic control signals.

SECTION 49. TIRE, ETC.

(1) **Metal Tire**. Any tire surface of which is in contact with the highway and is wholly or partly of metal or other hard non-resilient material.

(2) **Pneumatic Tire.** Every tire in which compressed air is designed to support the load.

(3) **Solid Tire.** Every tire of rubber or other resilient material which does not depend upon compressed air for the support of the load.

SECTION 50. TRACTOR, ETC. — Farm Tractor. Every motor vehicle designed and used primarily for drawing other vehicles and not so constructed as to carry a load other than a part of the weight of the vehicle and load so drawn.

SECTION 51. TRAFFIC, ETC.

(1) **Traffic.** Pedestrians, ridden or led animals, vehicles, streetcars and other conveyances, either singly or together, while using any street for purposes of travel.

(2) **Merging Traffic.** A maneuver executed by the driver of a vehicle where separate roadways or streams of traffic moving in the same general direction converged to form a single stream of traffic and wherein the driver of each vehicle involved is required to adjust his vehicular speed and lateral position so as to avoid a collision with any other vehicle.

SECTION 52. TRAFFIC CONTROL DEVICES, ETC.

(1) **Barriade.** Any barrier, obstruction or block placed upon or across any road, street, highway, or sidewalk for the purpose of preventing or limiting the passage of motor vehicles or pedestrians over such street, road, highway or sidewalk during a period of construction or repair to said street, road, highway or sidewalk.

(2) **Traffic Control Devices.** All signs, signals, pavement markings, traffic cones and devices not inconsistent with this Traffic Code, placed or erected by authority of the Sangguniang Panlalawigan or official having jurisdiction, for the purpose of regulating, warning, or guiding traffic.

(3) **Traffic Control Signals.** Any device, whether manually, electrically, or mechanically operated by which traffic is alternately directed to stop and to proceed, or is otherwise controlled.

(4) **Warning Sign.** Any sign, signal, marking, barricade or device erected or placed upon any street, road, highway or sidewalk, which is under construction or being repaired for the purpose of regulating, warning or guiding motor vehicular or pedestrian traffic or otherwise stating the conditions under which traffic by motor vehicles or pedestrians may be had upon such street, road, highway or sidewalk. A warning sign shall include, but shall not be limited to, a flagman placed upon any street, road or highway, for the purpose of directing traffic around or upon such street, road or highway.

SECTION 53. TRAFFIC VIOLATIONS BUREAU — When used in this Code the term shall mean the Traffic Violations Bureau of the Traffic Code of the Province of Cavite. It shall have the following duties:

(1) It shall keep records of all vehicles operating in Cavite which shall include the name of registered owners, users and their addresses and other information relating to the physical identification of the motor vehicles.

(2) It shall prescribe the rate of administrative fine or penalty to be imposed to violators who admit the violation and willing to settle the same with the Bureau without having the case filed in Court.

(3) It shall cause the issuance of Traffic Citation Tickets and Penal Summons to violators of Ordinance No. 801 and other ordinances relating to traffic rules and regulations.

(4) It shall cause the filing of a complaint or information and secure the issuance of warrants of arrest against violators who fail or refuse to obey the Citation Tickets or Penal Summons.

PROVIDED, however, That considering the voluminous number of vehicles now operating in Cavite, the Traffic Violations Bureau shall adopt a computerized system in the listing and keeping of records of all motor vehicles operating in Cavite in order to effectively perform its assigned functions specifically paragraph (1) of this Section.

SECTION 54. TRAILERS, ETC.

(1) **Pole Trailer.** Any vehicle without motive power designed to be drawn by another vehicle and attached to the towing vehicle by means of a rod, or pole, or by being boomed or otherwise secured to the towing vehicle, and ordinarily used for transporting long and irregularly shaped loads such as poles, pipes, or structural members capable, generally, of sustaining themselves as beams between the supporting connections.

(2) **Semi-trailer.** Any vehicle with or without motive power other than a pole trailer, designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that some parts of its weight including that of its load rests upon or is carried by another vehicle.

(3) **Trailer.** Any vehicle with or without motive power, other than a pole trailer, drawn by a motor vehicle and designed to carry persons or property, and so constructed that no appreciable part of its weight rests upon the towing vehicle.

SECTION 55. VEHICLE, ETC.

(1) **Bicycle.** A device propelled by human power upon which any person may ride, having two tandem wheels, and including any device generally recognized as a bicycle though equipped with two front or two wheels.

(2) **Bus.** Any motor vehicle designed for carrying more than 10 passengers and used for the transportation of persons for compensation.

(3) **School Bus.** Any bus displaying a sign containing the words "School Bus" as required by this Code operated for the transportation of children to and from school and for the transportation of children in connection with any school activity.

(4) **Combination of Vehicles.** Any combination of vehicles which includes any combination of two or more vehicles or any combination of a truck tractor with semi-trailer drawing one trailer, coupled together.

(5) **Implement of Husbandry.** Any vehicle designed and adopted exclusively for agricultural, horticultural or livestock raising operations, including farm tractors, farm wagons, wagon trailers or other vehicles used in connection therewith, or for lifting or carrying an implement of husbandry.

(6) **Mechanical Street Sweeper.** The term "mechanical street sweeper" shall mean any motor-driven device or equipment mounted on wheels and used to sweep, clean or flush streets.

(7) **Motocycle.** Any motor vehicle having a seat or saddle for use of the rider and designed to travel on not more than three wheels in contact with the ground, but excluding a tractor.

(8) **Motocycle.** Any motor vehicle conforming to the definition of "motocycle" including motor-driven bicycles, and propelled by a motor which produces not more than 5 horsepower.

(9) **Truck.** Any motor vehicle designed, used or maintained primarily for the transportation of property.

(10) **Vehicle.** Any device in, upon, or by which any person or property is or may be transported or drawn upon a highway, excepting devices moved by human power or devices used exclusively upon stationary rails or tracks. Vehicle refers to something that moved on wheels such as, automobile, jeep and truck.

(11) **Motor Vehicle.** Any vehicle which is self-propelled and every vehicle which is propelled by electric power obtained from overhead trolley wires, but not operated upon rails.

(12) **Reconstructed Vehicle.** Any vehicle which shall have been assembled or constructed largely by means of essential parts, new or used, derived from other vehicles or makes of vehicles of various names, models and types, or which if originally otherwise constructed, shall have been materially altered by the removal of essential parts or by addition or substitution of essential parts, new or used, derived from other vehicles, or makes of vehicles. The words "essential parts" as used herein shall mean any and all integral parts of a vehicle, the removal, alteration or substitution of which would tend to conceal the identity of the vehicle or substantially alter its appearance, model, make, type or mode of operation.

(13) **Rig.** Any horse drawn vehicle intended for transportation or conveying passenger or cargo.

SECTION 56. WATCH YOUR CAR — Refers to those acts performed by a person, young or old, standing by in any city street or other public place waiting for privately-owned cars and vehicles wherein he beckons the owner / driver to park the car or other vehicle on any portion of a city street or open space, whether government or privately-owned, and charging fees ostensibly for watching over the safety of the vehicle or for free; **PROVIDED,** however, That for purposes of this ordinance, it shall not include those privately-owned and managed parking areas duly licensed by the provincial government to do business and operate as such parking areas.

ARTICLE III TRAFFIC ADMINISTRATION

SECTION 1. SANGGUNIANG PANLALAWIGAN TO EXERCISE CERTAIN FUNCTIONS BY ORDINANCE. — The Provincial Board shall from time to time:

(1) Determine and designate the type of all official traffic control devices; **PROVIDED,** however, That insofar as local conditions permit such official control devices shall, as far as practicable, be uniform, correlate with and conform to the current standards as approved by the Department of Public Works and Highways and the Land Transportation Office.

(2) Designate and authorize what vehicles of governmental departments and public service corporations shall be authorized emergency vehicles, other than vehicles of the fire department, police vehicles and ambulances.

(3) Create, define, re-define, eliminate or change all speed zones, one-way streets, through streets, parking meter zones, safety zones, quiet zones, play streets, traffic lanes, crosswalks, loading zones, no-parking zones, low zones, time-limit parking zones, bus stops, angle parking areas, stop intersections and designate the type of markings to be placed and maintained for the identification of such zones or areas.

(4) Determine those intersections at which drivers of vehicles shall not make a right, left or "U" turn and designate the place at which proper signs at such intersections shall be erected;

(5) Designate markers, buttons, pavement markings or signs to be placed within or adjacent to intersections indicating the course to be traveled by vehicles turning at such intersections;

(6) Determine and designate certain curb markings to indicate no parking or standing.

SECTION 2. TRAFFIC ENGINEER

(1) It shall be the duty of the Traffic Engineer to determine the proper timing and maintenance of traffic control devices, to conduct engineering analysis of accidents, to conduct engineering investigations of traffic conditions and to cooperate with the Land Transportation Commission and its deputies when concerned and other officials of the province in the development of ways and means to prevent accidents, expedite the movement of traffic and otherwise improve traffic conditions, and to carry out the additional powers and duties imposed by this Traffic Code. It shall be his duty, within the means made available, to place and maintain traffic control devices as required under this Traffic Code.

(2) The Traffic Engineer may establish, place and maintain such signs, signals, pavement markings and other traffic control devices as he may deem necessary when special occasions or emergencies warrant such action, but when there is in his opinion an apparent need for such traffic control devices to remain in use for a period of time exceeding one month, application must be made to the Governing Council for approval of said traffic control devices. The Traffic Engineer through the Chief of Traffic, upon especially re-outing scheme, placing, putting of signs, islands, markings, signals and gestures to any Provincial street of Cavite for a period of 30 days as an experimentation on process.

(3) All traffic control devices so placed or maintained by the Traffic Engineer shall so far as practicable, be uniformed, correlate with and conform to the current standards as approved by the Department of Public Highways and the LTO.

SECTION 3. DESIGNATION OF AUTHORIZED TOW VEHICLES — The Cavite Traffic Management Office (CTMO) is hereby authorized to designate any vehicle specially constructed for towing vehicles, other than trucks and farm or road tractors, as an authorized tow vehicle, provided that in designating any vehicle as an authorized tow vehicle, the Governing Council may impose such reasonable conditions as may be deemed necessary for the safety and welfare of the public. However, no vehicle shall be so designated unless the Governing Council first finds that the vehicle has the required safety devices and equipment applicable to tow a vehicle and, further, that the owner of the vehicle has sufficient land area for the storage of towed vehicles.

Subject to existing laws, rules and regulations, the CTMO shall enter into a contract or Memorandum of Agreement with any towing company or persons engaged in the business of towing or with the owner of the designated tow vehicles covering the terms and conditions of the towing services to be provided. Except for the appropriate penalties for violations of the provisions of the mother ordinance, any towing fee as may be provided in existing laws and ordinances shall accrue to the owner of the towing vehicles. Towing charges herein mentioned shall be at the rates as may be prescribed in an ordinance duly approved by the Sangguniang Panlungsod.

SECTION 4. THE CAVITE TRAFFIC MANAGEMENT OFFICE (CTMO) CREATION OF — There shall be created a traffic coordination body to be known as CAVITE TRAFFIC MANAGEMENT OFFICE (CTMO) which shall be under the Provincial Governor. It shall be composed of a Chairman and eleven (11) members.

SECTION 5. The CTMO shall perform the following functions:

1. Plan, implement and coordinate a comprehensive Cavite Traffic Management Program with three basic components: enforcement, engineering and education;
2. Recommend to the Provincial Government policies and programs as well as rules and regulations which form part of the Program;
3. Submit to the Governor and Sangguniang Panlalawigan and other agencies and organizations concerned periodic reports relative to traffic management activities;
4. Submit national agencies and local government units in the formulation of policies laws, rules and regulations and other necessary measures of efficient traffic management program in the entire province; and
5. Perform such other functions as may be necessary to ensure the effective planning and implementation of traffic management schemes.

SECTION 6. The CTMO shall have a Governing Council which shall formulate and approve policies on traffic management in the province. This Council shall be composed of the following:

1. Chairperson to be appointed by the Governor;
2. Vice Chairperson to be elected from among the members of the Governing Council;
3. Chairman, Sangguniang Panlalawigan Committee on Peace and Order, Member;
4. PNP Provincial Director, Member.

5. Head, LTO of Cavite, Member;

6. Representative of DPWH of Cavite District, Member;

7. Provincial Engineer, Member;

8. Provincial Legal Officer, Member; and

9. Four (4) Representatives from the private sector as Member.

SECTION 7. The day-to-day operations of CTMO shall be managed and coordinated by an Executive Director who shall be appointed by the Governor upon the recommendation of the Governing Council.

SECTION 8. The CTMO shall have the following component units.

1. Planning, monitoring and evaluation. Responsible for the preparation of traffic management plans, conduct of traffic studies and monitoring and evaluation of traffic projects;
2. Traffic Engineering. Establish standards for the design and implementation of traffic engineering works, including fabrication, installation and maintenance of traffic and road signs.
3. Traffic Violation. Responsible for a systematic collection and management collection of administrative fines of traffic violators.
4. Traffic Education. Responsible for the conduct of an intensive traffic information and education as well as training of traffic managers.
5. Legal. Responsible for filing and handling of legal cases pertinent to the enforcement of traffic rules and regulations and other traffic related ordinances.
6. Administration and Finance. Responsible for providing administrative and financial management support to the CTMO operating units.

SECTION 9. The CTMO shall exercise operational supervision (functional coordination) over all national and local agencies in the Province performing traffic management related functions. The details and mechanics of such operational supervision shall be worked out with the agencies concerned by the CTMO Governing Council.

SECTION 10. The CTMO shall initiate the establishment of traffic management units in all component cities and municipalities in the province; Hereafter, it shall assist these various traffic management units in planning and implementing their respective traffic management projects.

SECTION 11. FUNDING

(1) The Sangguniang Panlalawigan shall allocate a reasonable amount from the Provincial Fund to meet the initial funding requirements of CTMO; and

(2) The CTMO is authorized to establish and maintain a Trust Fund from contributions or donations from the private sector and civic groups.

SECTION 12. DESIGNATION OF AUTHORIZED TOW VEHICLES — The Cavite Traffic Management Office (CTMO) is hereby authorized to designate any vehicle specially constructed for towing vehicles, other than trucks and farm or road tractors, as an authorized tow vehicle, provided that in designating any vehicle as an authorized tow vehicle, the Governing Council may impose such reasonable conditions as may be deemed necessary for the safety and welfare of the public. However, no vehicle shall be so designated unless the Governing Council first finds that the vehicle has the required safety devices and equipment applicable to tow a vehicle and, further, that the owner of the vehicle has sufficient land area for the storage of towed vehicles.

Subject to existing laws, rules and regulations, the CTMO shall enter into a contract or Memorandum of Agreement with any towing company or persons engaged in the business of towing or with the owner of the designated tow vehicles covering the terms and conditions of the towing services to be provided. Except for the appropriate penalties for violations of the provisions of the mother ordinance, any towing fee as may be provided in existing laws and ordinances shall accrue to the owner of the towing vehicles. Towing charges herein mentioned shall be at the rates as may be prescribed in an ordinance duly approved by the Sangguniang Panlungsod.

SECTION 13. THE TRAFFIC ENGINEERING DIVISION WITHIN THE CAVITE ENGINEER'S OFFICE

(1) **The Traffic Engineering Division Creation of** A Traffic Engineering Division, hereinafter referred to as the Division, is hereby created within the Provincial Engineer's Office of Cavite in support of the Traffic Engineer whose duties and functions are defined under Section 3 of the Provincial Ordinance 003-2000 otherwise known as the Cavite Traffic Management Office (CTMO).

(2) **Traffic Engineer.** The Provincial Engineer of Cavite is hereby designated as the Traffic Engineer referred to in Ordinance No. 003-2000.

(3) **Staffing and Funding.** The staffing requirements of the Division shall be determined by CTMO upon recommendation of the Division Chief. Funding shall be drawn from the annual budget approved by the Sangguniang Panlungsod of Cavite.

(4) **Transitory Provision.** The Office of the Governor, through the Provincial Engineer's Office, is hereby authorized to appoint contractual personnel, and disburse and administer the funds allocated to CTMO for purposes of implementing the plans and programs of CTMO.

SECTION 14. AUTHORITY OF THE TRAFFIC ENGINEER

(1) **Traffic Enforcers.** Authority of. The Cavite Traffic Enforcers, hereinafter referred to as Enforcers, are hereby authorized to enforce the provisions of the local Traffic Code and assist the regular PNP personnel in the enforcement of all the national vehicle laws applicable to the street traffic in Cavite. The Staff of Cavite Traffic Enforcers shall be appointed by the Provincial Governor upon the recommendation of the Chairman, Cavite Traffic Management Office.

(2) **Functions of the Enforcers.** The Enforcers shall have the following functions:

- Enforce the provisions of the Traffic Code of Cavite and assist the regular members of the PNP in the enforcement of all the national vehicle laws applicable to the street traffic in the Province of Cavite;
- Take the name, address, traffic violator driver's license number and the registration and plate numbers of the motor vehicle involved;
- Issue to the traffic violator, a summons or citation informing him / her of the charge(s) against him / her and requiring him to answer the same at the time and place designated in the citation within seven (7) days after such violation;
- To immobilize the vehicle driven or operated by the traffic violator, using approved gadgets, and to release the same vehicle only upon the authority of the proper officer of Cavite Traffic Management Office;
- Immediately take a person arrested for violation of any of the traffic laws before a competent authority, when authorized or directed by law; and
- Perform such other functions as may be directed by the CTMO or his duly authorized representative, on matters pertaining to traffic management.

ARTICLE IV ENFORCEMENT AND OBEDIENCE TO TRAFFIC REGULATIONS

SECTION 1. AUTHORITY OF POLICE AND FIRE DEPARTMENT OFFICIALS

(1) It shall be the duty of the officers of the police department or such officers as are assigned by the Provincial Director to enforce the provisions of this Traffic Code and all of the national vehicle laws applicable to street traffic in the Province of Cavite.

(2) Officers of the police department or such officers as are assigned by the Provincial Director are hereby authorized to direct all traffic by voice, hand or signal in conformance with the provisions of this Traffic Code; PROVIDED, however, that in the event of a fire or other emergency or to expedite traffic or to safeguard pedestrians, officers of the police department may direct traffic as conditions may require notwithstanding the provisions herein.

(3) Officers of the police department are hereby authorized to display portable signs within certain intersections forbidding vehicle drivers to perform specific maneuvers. Said portable signs shall only be displayed at a specified intersection during times of traffic congestion when, in the opinion of the Provincial Director, such restrictions are necessary to expedite the movement of traffic through the intersection.

(4) Officers of the fire department, when at the scene of fire, may direct or assist the police in directing traffic thereat or in the immediate vicinity.

SECTION 2. UNLAWFUL TO VIOLATE TRAFFIC REGULATIONS — It is unlawful for any person to do any act forbidden or fail to perform any act required in this Traffic Code.

SECTION 3. OBEDIENCE TO POLICE OFFICERS — No person shall willfully fail or refuse to comply with any lawful order or direction of any police officer, officers of the fire department when authorized to direct traffic as provided herein, or any other persons authorized to direct, control or regulate traffic.

SECTION 4. PUBLIC OFFICERS AND EMPLOYEES TO OBEY TRAFFIC REGULATIONS — The provisions of this Traffic Code shall apply to the driver of any vehicle owned by or used in the service of the Philippine government or any of its political subdivisions, and the Province of Cavite, and it shall be unlawful for any such driver to violate any of the provision of this Traffic Code, except as otherwise permitted in this Traffic Code or by any other ordinances of the Province of Cavite.

SECTION 5. EXEMPTIONS TO AUTHORIZED EMERGENCY VEHICLES

(1) The provisions of this Traffic Code regulating the operation, parking and standing of vehicles shall apply to authorized emergency vehicles, as hereinbefore defined, except as follows:

A driver when operating any such vehicle in an emergency, except when otherwise directed

by a police officer may —

- Park or stand notwithstanding the provisions of this Traffic Code;
- Proceed past a red light or stop signal or stop sign; but only after slowing down as may be reasonably necessary for safe operation;
- Exceed the speed limits so long as he does not endanger life or property;
- Disregard regulations governing direction of movement or turning in specified directions so long as he does not endanger life or property.

(2) The exceptions provided for herein with reference to the movement of authorized emergency vehicle shall apply only when the driver of said vehicle sounds a siren, bell or exhaust whistle as may be reasonably necessary, and the vehicle displays a lighted red lamp, visible under normal atmospheric conditions from the distance of 500 feet to the front of such vehicle as a warning to other

SECTION 6. PERSONS PROPPELLING PUSH CARTS OR RIDING ANIMALS TO OBEY TRAFFIC REGULATIONS — Every person propelling any push-cart or riding an animal upon a roadway, and every person driving any animal-drawn vehicle shall be subject to the provisions of this Traffic Code applicable to the driver of any vehicle, except those provisions which their very nature can have no application.

SECTION 7. USE OF COASTERS, ROLLER SKATES AND SIMILAR DEVICES RESTRICTED — No person upon roller skates or riding in by means of any coasters, toy vehicle or similar device, shall go upon any roadway except while crossing a street. When so crossing such person shall be granted all of the rights and shall be subject to all of the duties applicable to pedestrians.

SECTION 8. OPERATION OF VEHICLES ON APPROACH OF AUTHORIZED EMERGENCY VEHICLES

(1) Upon the immediate approach of an authorized emergency vehicle equipped with at least one light lamp exhibiting a red light visible under normal atmospheric conditions from a distance of 500 feet to the front of such vehicle and when its driver is giving audible signal of siren, bell or exhaust whistle, the driver of every other vehicle shall yield the right-of-way and shall immediately drive to a position clear of any intersection and parallel to, and as close as possible to, the right hand edge or curb of the highway or the nearest edge or curb when said highway has multiple lanes or when said highway is a divided highway or one-way street and shall stop and remain in such position until the authorized emergency vehicle has passed, except when otherwise directed by a police or such officer invested by law to direct and regulate traffic under the provisions of this Code.

(2) The foregoing provisions shall not operate to relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons and vehicles using the roadway.

ARTICLE V ACCIDENTS

SECTION 1. ACCIDENTS INVOLVING DEATH OR PERSONAL INJURIES — The driver of any vehicle involved in an accident resulting in injury or death of any person shall immediately stop such vehicle at the scene of such accident or as close thereto as possible, but shall then forthwith return to and in every event shall remain at the scene of the accident until he has fulfilled the requirements of Section 3, Article V of this Code. Every such stop shall be made without obstructing traffic any more than is necessary.

SECTION 2. ACCIDENTS INVOLVING DAMAGE TO A VEHICLE — The driver of any vehicle involved in an accident resulting only in damage to a vehicle which is driven or attended by any person shall immediately stop such vehicle at the scene of the accident or as close thereto as possible, but shall forthwith return to and in every event shall remain at the scene of such accident until he has fulfilled the requirements of Section 3. Every such stop shall be made without obstructing traffic any more than is necessary.

SECTION 3. DUTY TO GIVE INFORMATION AND RENDER ASSISTANCE — The driver of any vehicle involved in an accident resulting in injury to or death of any person or damage to any vehicle or other property damage, shall give his name, and the license number of the vehicle he is driving and shall, upon request, exhibit his driver's license to the person struck, or to the driver or occupant of, or person attending, the vehicle collided with, and shall render to any person injured in such accident reasonable assistance, including the enrolling or the making of arrangements for the carrying of such person to a physician, surgeon or hospital for medical or surgical treatment, if it is apparent that such treatment is necessary, or if such carrying is requested by the injured person.

SECTION 4. DUTY UPON STRIKING UNATTENDED VEHICLE — The driver of any vehicle which collides with any vehicle which is unattended shall immediately stop and shall then and there either locate and notify the operator or owner of such vehicle of the name and address of the driver and of the owner of the vehicle striking the unattended vehicle together with the license number of said vehicle, or shall leave in a conspicuous place in the vehicle struck a written notice giving the name and address of the driver or the owner of the vehicle doing the striking, together with the license number of said vehicle and a statement of the circumstances thereof.

SECTION 5. DUTY UPON STRIKING FIXTURES UPON A HIGHWAY — The driver of

any vehicle involved in an accident resulting only in damage to fixtures legally upon or adjacent to a street or highway shall take reasonable steps to locate and notify the owner or person in charge of such property of such fact, and of his name and address, and of the vehicle license number of the vehicle he is driving, and shall upon request exhibit his driver's license, and shall make a report of such accident when and as required by this Traffic Code.

SECTION 6. IMMEDIATE REPORTS OF ACCIDENTS — The driver of any vehicle involved in an accident resulting in injury to or death of any person or in total property damage to an apparent extent of One Hundred (P100.00) Pesos, or more shall immediately by the quickest means of communication give notice of such to the police department. In the event an agreement can be reached by the persons whose property is involved as to the amount of property damage sustained the accident shall be reported immediately to the police department.

SECTION 7. SUBSEQUENT REPORTS OF ACCIDENTS

(1) In addition to the report required in Section 6, the driver of a vehicle involved in an accident resulting in injury to or death of any person or in total property damage to an apparent extent of One Hundred (P100.00) Pesos or more shall, within 24 hours after such accident, report such accident in writing or in person to the police department. The provisions of this section shall not be applicable when the accident has been investigated at the scene by a police officer when such driver was present thereat.

(2) The police department may require any driver of a vehicle involved in an accident of which a report must be made as provided herein to file supplemental reports whenever the original report is insufficient in the opinion of the said department and may require witnesses of accidents to render reports to the said department.

(3) Every law enforcement officer who, in the regular course of duty, investigate a motor vehicle accident of which report must be made as provided herein, either at the time and at the scene of the accident or thereafter by interviewing participants or witnesses, shall, within 24 hours after completing such investigation, forward a written report of such accident to the police department.

SECTION 8. ACCIDENT REPORT FORMS

(1) The police department shall prepare and upon request supply to garages and other suitable agencies or individuals, forms for accident reports required hereunder appropriate with respect to the persons required to make such reports and the purposes to be served. The written reports to be made by persons involved in accidents and by investigating officers shall call for sufficient detailed information to disclose with reference to such accidents the causes, conditions then existing, and the persons and vehicles involved.

(2) Every accident report required to be made in writing shall be made on the appropriate form approved by the police department and shall contain all of the information required therein unless unavailable.

SECTION 9. GARAGES TO REPORT — The person in charge of any garage or repair shop to which is brought any motor vehicle which shows evidence of having been involved in an accident of which report must be made as provided in Section 7, or struck by any bullet, shall report to the police department within 24 hours after such motor vehicle is received, giving the engine number, license number and the name and address of the owner or driver of such vehicle.

SECTION 10. ACCIDENT REPORTS CONFIDENTIAL — All accident reports in writing made by persons involved in accidents or by garages shall be without prejudice to the individual so reporting and shall be for the confidential use of the police department or other provincial agencies having use for the records for accident prevention purposes, except that the police department may disclose the identity of a person involved in an accident when such identity is not otherwise known or when such person denies his presence of such accident. No such report shall be used as evidence in any trial, civil or criminal, arising out of an accident, except that the police department shall or upon demand of any court, issue a certificate showing that a specified accident report has or has not been made to the police department solely to prove a compliance or a failure to comply with the requirement that such a report be made to the police department.

SECTION 11. WHEN DRIVERS UNABLE TO REPORT

(1) An accident report is not required under this Article if on any person who is physically incapable of making report during the period of such incapacity.

(2) Whenever the driver of a vehicle is physically incapable of giving an immediate notice of an accident as required in Section 6 and there was another occupant in the vehicle at the time of the accident capable of doing so, such occupant shall make or cause to be given the notice not given by the driver.

(3) Whenever the driver is physically incapable of making a written report of an accident as required in Section 7 and such driver is not the owner of the vehicle, then the owner of the vehicle involved in such accident shall within 3 days after learning of the accident make such report not made by the driver.

SECTION 12. POLICE DEPARTMENT TO TABULATE AND ANALYZE ACCIDENT REPORTS — The Police Department shall tabulate and may analyze all accident reports and shall publish annually, or at more frequent intervals, statistical information based thereon as to the number

and circumstances of traffic accidents.

SECTION 13. COPIES OF REPORTS TO BE FURNISHED TO THE OFFICE OF THE PROVINCIAL GOVERNOR — The Provincial Director shall furnish true copies of all accident reports within 48 hours from the filing thereof, to the Office of the Provincial Governor.

ARTICLE VI TRAFFIC CONTROL DEVICES

SECTION 1. OBEDIENCE TO OFFICIAL TRAFFIC CONTROL DEVICES — The driver of any vehicle shall obey the instructions of any official traffic control device applicable thereto, placed or erected in accordance with the provisions of this Code; PROVIDED, That at any intersection where both stop signs and traffic signal lights have been erected or installed, the driver of any vehicle shall operate his vehicle in conformity with the traffic signal lights whenever said traffic signal lights are in operation, unless, otherwise directed by the police officer or any other person authorized to direct, control or regulate traffic; PROVIDED FURTHER, That in any boxed intersection which is identified by the cross-cross lines of yellow paint covering the area from the center of the intersection up to the pedestrian lanes no vehicle shall be allowed to enter therein if its way ahead or exit out of the said boxed intersection is not clear even if the "GO" signal light is on; and PROVIDED FINALLY, That no provision of this section shall effect the exemption granted to the driver of an authorized emergency vehicle.

For the purpose of giving effect to the foregoing provisions, the traffic authorities of the CNTP shall be authorized to select the busy intersections of the Province of Cavite which shall be declared as "boxed intersections" and provide them with the following sign: "DO NOT ENTER BOX UNLESS YOUR EXIT IS CLEAR" which shall be installed in a conspicuous place.

SECTION 2. TRAFFIC DEVICES REQUIRED FOR ENFORCEMENT PURPOSES

(1) When the use of signs, signals, pavement markings or other traffic control devices is expressly required by any provisions of this Traffic Code to be placed at the particular locations involved to give notice of the existence and application or operation of any such provision, there shall be no prosecution for violation of such provision, unless at the time and place of the alleged violation such signs, signals, pavement markings or other official traffic control devices were placed in accordance with the requirement of such provision and were sufficiently legible or understandable to a person of ordinary understanding or observation. Whenever any particular provision of this Traffic Code does not state that signs, signals, pavement markings or other traffic control devices are required, such provisions shall be effective even though no signs, signals, pavement markings and other traffic control devices are erected in place.

(2) All signs, signals, pavement markings or other traffic control devices placed or erected on streets and highways shall be deemed official, i.e., authorized by the CTMO or official having jurisdiction, for the purpose of regulating, warning or guiding traffic.

(3) The installation and use of traffic signal lights is hereby authorized at the streets and intersections described in Schedule I attached hereto and made a part hereof.

SECTION 3. INSTALLATION OF TRAFFIC SIGNAL LIGHTS ON NATIONAL HIGHWAYS — The installation and use of traffic signal on national highways is hereby authorized at the streets and intersections described in Schedule II attached hereto and made a part hereof.

SECTION 4. TRAFFIC CONTROL SIGNAL LEGEND — Whenever traffic controlled by traffic control signals exhibiting the words "GO", "CAUTION", or "STOP" or exhibiting different colored lights successively, one at a time, or with arrows, the following colors only shall be used and said words and lights shall indente and apply to driver of vehicles and pedestrians as follows.

(1) GREEN ALONE OR "GO"

(a) Vehicular traffic facing the signal may proceed straight through or turn right or left unless a signal such place prohibits either such turn. But vehicular traffic, including vehicles turning right or left, shall yield the right-of-way to other vehicles and to pedestrians lawfully within the intersection of an adjacent crosswalk at the time such signal is exhibited.

(b) Pedestrians facing the signal may proceed across the roadway within any marked or unmarked crosswalk.

(2) YELLOW ALONE OR "CAUTION" WHEN SHOWN FOLLOWING THE GREEN OR "GO" SIGNAL

(a) Vehicular traffic facing the signal is thereby warned that the Red or "STOP" signal will be exhibited immediately thereafter and such vehicular traffic shall not enter or be crossing the intersection when the Red or "STOP" is exhibited.

(b) Pedestrians facing such signal are thereby warned that there is insufficient time to cross the roadway, and any pedestrian then starting to cross shall yield the right-of-way to all vehicles.

(3) RED ALONE OR "STOP"

(a) Vehicular traffic facing the signal shall stop before entering the crosswalk on the near side of the intersection or, if none, then before entering the intersection, and shall remain standing until the green or "GO" signal is exhibited alone: PROVIDED,

h. Where no sign has been erected at such intersection prohibiting right turns against a red signal, vehicular traffic facing such signal, after first coming to a complete stop as specified above, may enter the intersection with caution from the right lane to make a right turn but shall yield the right-of-way to pedestrians and other traffic proceeding as directed by the signal at said intersection; and

2. At the intersection of two one-way streets, where no sign has been erected at such intersection prohibiting right or left turns as the case may be against a red signal, vehicular traffic facing such signal, after first coming to a complete stop as specified above, may enter the intersection with caution from the right or left lane to make a right or left turn, respectively, in the direction of the one-way flow of traffic but shall yield the right-of-way to pedestrians and other traffic proceeding as directed by the signal at said intersection.

(b) No pedestrian facing such signal shall enter the roadway within a crosswalk or otherwise.

(c) Right or left turns against a red signal at the designated intersections described in SCHEDULE III attached hereto and made a part hereof, are prohibited, effective upon the erection of signs indicating such prohibition.

(4) RED WITH GREEN ARROW

(a) Vehicular traffic facing such signal may enter the intersection with caution only to make the movement in the direction indicated by such green arrow but shall yield the right-of-way to pedestrians lawfully within a crosswalk and to other traffic lawfully using the intersection.

(b) No pedestrian facing such signal shall enter the roadway whether in a crosswalk or otherwise.

(5) In the event an official traffic control signal is erected and maintained at a place other than an intersection, the provision hereinabove set forth shall be applicable except as to those provisions which by their nature can have no application.

(6) Any stop required shall be made at a sign or marking on the pavement indicating where the stop shall be made, but in the absence of any such sign or marking, the stop shall be made at the nearest crosswalk at the intersection, or at the prolongation of the property line.

SECTION 5. PEDESTRIAN CONTROL SIGNALS — When special pedestrian control signals exhibiting the words "WALK" or "WAIT" or "DON'T WALK", or exhibiting different colored lights successively one at a time, the following colors only shall be used and said words and lights shall indicate and apply to pedestrians as follows:

(1) **GREEN OR "WALK"** — Pedestrians facing such signal may proceed across the roadway in the direction of the signal and shall be given the right-of-way by the drivers of all vehicles.

(2) **RED, "WAIT" OR "DON'T WALK"** — No pedestrian shall start to cross the roadway in the direction of such signal, but any pedestrian who has partially completed his crossing on the GREEN or "WALK" signal shall proceed to a sidewalk or safety island while the RED, "WAIT", or "DON'T WALK" signal is showing.

SECTION 6. WARNING LIGHTS AT MID-BLOCK CROSSWALK — Whenever distinctive amber colored lamps are placed at mid-block crosswalks, they shall require vehicle drivers to exercise caution when approaching such crosswalk.

SECTION 7. FLASHING SIGNALS — Whenever flashing red or yellow signals are used, they shall require obedience by vehicular traffic as follows:

(1) **Flashing RED ("STOP" signal)** — when a red lens is illuminated with rapid intermittent flashes, drivers of vehicles shall stop before entering the nearest crosswalk at an intersection or at a stop line when marked and the right to proceed shall be subject to the rules applicable after making a stop at a stop sign.

(2) **Flashing YELLOW ("CAUTION" signal)** — when a yellow lens is illuminated with rapid intermittent flashes, drivers of vehicles may proceed through the intersection or pass such signal only with caution.

SECTION 8. DISPLAY OF UNAUTHORIZED SIGNS, SIGNALS, OR MARKINGS

(1) No person shall maintain or display upon or in view of any highway any unauthorized sign, signal, marking, or device which purports to be or is an imitation of, or resembles an official traffic control signal device or sign or signal, or which lades from view or interferes with the effectiveness of any official control device, sign or signal, and no person shall place or maintain nor shall any public authority permit, upon any highway any traffic sign or signal to have thereon any commercial advertising. This shall not be deemed to prohibit the direction upon private property adjacent to highways

of signs giving the useful directional information of a type that cannot be mistaken for official signs, signals or other traffic control devices.

(2) In addition to the penalties provided for the violation of any of the foregoing provisions, every such prohibited sign, signal or marking is hereby declared to be a public nuisance and the Provincial Director is hereby empowered and directed to remove the same or cause it to be removed without notice.

SECTION 9. INTERFERING WITH OFFICIAL TRAFFIC CONTROL DEVICES, SIGNS OR SIGNALS — No person shall, without lawful authority, attempt to or in fact alter, deface, injure, knock down or remove any official traffic control device, sign or signal or any inscription, shield or insignia thereon, or any other thereof.

SECTION 10. OBSTRUCTION OF VISIBILITY OF TRAFFIC SIGN OR SIGNAL — No person shall hand, suspend, place or construct any awning, flame, balcony, cornice, or any other projection so as to obstruct the visibility of any traffic sign or signal placed or erected as authorized by law.

SECTION 11. RED AND GREEN ILLUMINATED SIGNS NEAR TRAFFIC SIGNALS — No person shall erect or maintain any red or green light or red or green neon signs within 75 feet of any intersection where traffic is controlled by signal lights without first obtaining a written permit from the Traffic Engineer certifying that such light or sign at the specified location does not constitute undue distraction to a vehicle driver acting in obedience to the directions of the traffic signal lights.

SECTION 12. TRAFFIC LANE MARKINGS

(1) Whenever traffic is controlled by pavement markings, such markings shall be white in color, except on national highways, within the Province of Cavite, where the color shall be either white or yellow or both.

(2) When a broken line is used for a center or lane line, such a line is a guideline and may not be crossed by vehicular traffic unless such movement can be made with safety.

(3) When a single solid or double solid line is used for a center or lane line, the line is of regulatory character and is not to be crossed by vehicular traffic except when turning into or out of private driveways or intersecting highways or when directed by a police officer or any other persons authorized to direct, control, or regulate traffic or when such streets are traffic coned to allow additional traffic lanes at times of emergency or peak traffic hours.

(4) Whenever a combination of solid and broken lines is used, any solid line appearing in the same lane on which the vehicle is traveling shall not be crossed at anytime, except when turning into or out of private driveways or roads, or intersecting streets or highways, and any broken line appearing in the same lane in which the vehicle is traveling may be crossed at any time.

(5) When traffic cones are used by proper authority to temporarily control the flow of traffic in lanes other than those designated by the permanent pavement markings, the lanes designated by the cones shall have the same regulatory effect as the permanent markings.

SECTION 14. REVISED ROAD DETAILS

(1) **Name and Purposes of this Ordinance.** This ordinance shall be officially named and referred to as the "REVISED ROAD DETAILS FOR CAVITE". This ordinance is enacted for the following purposes:

- To establish the width of provincial streets, or roads right-of-way;
- To establish the width of sidewalks; and
- To establish a schedule of areaded streets and open sidewalks which shall be compulsory on all applications for building construction.

(2) Schedule of Road Details. (See also Appendix "T")

(3) **Restrictions and Prohibitions.** The following restrictions and prohibitions in the construction of streets, roads right-of-way, sidewalks, and areaded streets shall be observed.

- All curbs and gutters shall be of the same height with a minimum height of eight (8") inches. A depressed curb and gutter is only allowed on driveways.
- No ramp extension will be allowed beyond the curb and gutter line towards the road;
- All existing and proposed gasoline stations must submit their site development plans for driveway entrance for approval by the Provincial Development Council;
- All gasoline station signs must be approved by the Provincial Development Council as shown in their locations;
- All building constructions shall conform to the schedule of road details and the grade and elevation of concrete curb and gutter shall be established by the Office of the Building Official;
- Only one entry point or driveway with a maximum width of 3.00 meters along the

sidewalk shall be allowed for every lot fronting the street. An exit point with the same width may be allowed provided the length of the lot fronting the street shall not be less than 15.00 meters:

- (k) The policy of "nose in — nose out" shall be strictly adhered to in the provision of parking slots or driveways;
- (l) No back out parking shall be allowed on all public roads: ("Back out parking" means backing the vehicles towards the road right-of-way.)
- (i) Sidewalks shall immediately abut the street as per approved schedule.
- (g) All established roads right-of-way shall be free of freestanding signs unless used for traffic control;
- (k) A planting scheme shall be submitted for approval for sidewalks with a schedule of planting strips prior to the approval of the building permit;
- (j) No columns more than 1.00 meter in width shall be allowed parallel to the road on arcaded areas;
- (m) No columns more than 0.80 meter in width shall be allowed perpendicular to the road on arcaded areas.
- (n) No building encroachments shall be allowed on roads right-of-way.
- (o) All roads right-of-way should be free of any obstruction, whether temporary, permanent or rolling;
- (p) In cases where the owner of the proposed road right-of-way has not yet been paid, the Provincial Development Council shall recommend to the Sangguniang Pambansag appropriation of funds to pay for the said road right-of-way; and
- (q) In cases where the owners sign a waiver indicating that they would know down the structure constructed on the road right-of-way at their own expense, the Provincial Development Council shall recommend to the Sangguniang Pambansag appropriation of funds for the payment of said road right-of-way to be used either as road, sidewalks or planting strips.

(4) Subdivision Roads.

- (a) All new roads within subdivisions approved by the Housing and Use Regulatory Board under the standard set by the Subdivision and Condominium Law shall conform to the Provincial's Neighborhood Development Plans and to the approved Schedule of Road Details.
- (b) The opening of new subdivision classified as socialized housing set under Betas Pamantasan No. 229 as recommended by the National Housing Authority may be exempted from the minimum standards set by the Road Details provided at least one 10-meter wide access road shall conform to the alignment of the Neighborhood Plan.

(5) Lots and/or Buildings affected by Proposed Road Right-of-Way (which includes sidewalks).

- (a) New building construction shall be required to set back to the required limits in accordance with the approved widening lines as set by the schedule of road details. Renovation or repairs of existing buildings are exempted from this requirement provided that there shall be no extension of its length and width towards any side.
- (b) The owners, lessees, administration or beneficial possessors of any lot or building affected by any road implementation of the same. The implementation of the said road widening project may not commence until after due compensation based on the government appraisal value, shall have been made.
- (c) Any lot or building owner may avail of tax credits for portion of properties affected by the implementations of road opening and/or road widening project.

(6) **Penalty Clause.** Any person who violates any provision of this ordinance shall, upon conviction, be punished by a fine of not less than FIVE HUNDRED (P500.00) PESOS but not more than ONE THOUSAND (P1,000.00) PESOS or by imprisonment of not less than ONE (1) MONTH but not more than SIX (6) MONTHS, or both such fine and imprisonment at the discretion of the court. In case of violation by a corporation, partnership or association, the penalties shall be imposed upon the erring officers.

(7) **Effectivity.** This ordinance shall take effect immediately upon its approval

SECTION 15. DESIGNATION OF NO PUJ LANE

(1) The Traffic Division and/or the Cavite Traffic Management Office (CTMO) is hereby authorized to designate portion or portions of Provincial Street's lanes to be not available for passage

or use by public utility jeepneys which lanes shall be marked as "NO PUJ LANE";

(2) All public utility jeepneys (PUJ) are prohibited from using or maintaining lanes which are designated / marked as "NO PUJ LANE" unless there is an unavoidable obstruction along its coursed path or when said PUJ shall execute a left turn where allowable; PROVIDED, That such opportunity shall be for passage purposes only and not to maintain the same;

(3) Any person or persons found violating this ordinance shall upon conviction be punished by a fine of not less than FIVE HUNDRED (P500.00) PESOS nor more than ONE THOUSAND (P1,000.00) PESOS or imprisonment not less than TEN (10) DAYS nor more than ONE (1) MONTH or both, such fine or imprisonment at the discretion of the court. In case the violator opts not to be prosecuted in court, he may pay with the Provincial Treasurer or any of its duly authorized representative a compromise penalty of THREE HUNDRED (P300.00) PESOS.

(4) Any ordinance or parts thereof which are inconsistent with this ordinance are hereby repealed, amended or deemed modified.

**ARTICLE VII
SPEED RESTRICTIONS**

SECTION 1. SPEED RESTRICTIONS

(1) No person shall drive a vehicle on a highway at a speed greater than is reasonable and prudent under the conditions and without due regard for the traffic, the width of the highway and to the actual and potential hazards than existing. In every event, speed shall be so controlled as may be necessary to avoid colliding with any person, vehicle, or other conveyance on or entering the highway in compliance with legal requirements and the duty of all persons to use due care.

(2) No person shall drive a vehicle on any roadway within public parks and public school grounds at a speed greater than is reasonable or prudent, having due regard for the traffic on, and the surface and width of the roadway, and in no event at a speed in excess to twenty (20) kilometers per hour on any roadway within public parks except on emergency cases and on any roadway within public school grounds, where the speed limit shall be fifteen (15) kilometers per hour.

(3) The Traffic Engineer is hereby authorized and directed to erect and maintain signposts indicating the speed limit herein established at each roadway entrance into any public park and public school grounds. The Department of General Services and the Provincial Superintendent of Schools may erect and maintain signs other than traffic control signs at appropriate places along the roadways within their respective jurisdiction.

(4) Further, no person shall in any parking area maintain within public parks and public school grounds drive a vehicle recklessly or negligently or at a speed or in such manner as to endanger or injure persons or property.

(5) Whenever the Traffic Engineer shall determine upon the basis of an engineering and traffic investigation that any maximum speed limit be hereafter set forth is greater than is reasonable or safe under the conditions found to exist at any horizontal or vertical curve upon part of a highway, said Traffic Engineer may post a recommended safe speed thereof which shall serve as a guide to vehicle drivers at all times when they are using the highway and which shall be effectively illuminated or reflectorized for visibility at night.

SECTION 2. SPEED LIMIT ZONES — No person shall drive a vehicle on a public highway or street at a speed in excess of the following speed limit as established hereunder:

MAXIMUM ALLOWABLE SPEEDS

	Passenger cars and Motorcycles	Motor Trucks and Buses
1. On open country roads, with no "blind corners" not closely bordered by habitation	80 km per hour	50 km per hour
2. On "through streets" or boulevards, clear of traffic with no "blind corners", when so designate	40 km per hour	30 km per hour
3. On provincial and municipal streets, with light traffic, when not designated "through streets"	30 km per hour	30 km per hour
4. Through crowded streets approaching intersection at "blind corners", passing school zones, passing other vehicles which are stationary or for similar dangerous circumstances.	20 km per hour	20 km per hour

The rates of speed hereinabove prescribed shall not apply in the cases specified in Section 6, Article VII of this Code. The Sangguniang Pambansag however, may, from time to time, by ordinance establish a speed limit lower than what are set in this Code.

SECTION 3. SPEED LIMIT SIGNS — The speed restrictions set forth in Section 2 on roadways, streets, highways or boulevards, or portions thereof, shall be ineffective unless legible signs

are erected and maintained indicating the maximum speed permissible thereon.

SECTION 4. MINIMUM SPEED REGULATIONS

(1) The driver of a slow moving vehicle including rigid and animal drawn vehicles shall drive the same as close as possible to the right-hand edge of any roadway, lined or unlined for traffic.

(2) The driver, further, shall not drive a motor-vehicle at such a slow speed as to impede or block the normal and reasonable movement of traffic, except when so directed by a police officer or any other persons authorized to direct, control or regulate traffic, or when reduced speed is necessary for safe operating, or in compliance with the law.

(3) Whenever any roadway is clearly marked for two or more lanes of traffic moving in the same direction, no person driving a motor vehicle in the lane or lanes other than the extreme right lane shall travel at a speed which is 30 kms. per hour or more below the maximum stated speed, e.g., below 30 kms. per hour in a 30 kph speed limit zone or below 20 kms. per hour in a 20 kph speed limit zone, except when otherwise directed by a police officer or any other persons authorized to direct, control, or regulate traffic, or when a reduced speed is necessary for a safe operation or in compliance with the law.

(4) On any street or highway or portions thereof on which parking is prohibited during the hours specified, during the morning peak traffic and / or afternoon peak traffic hours no person shall drive, move or tow, during said hours on such street or highway or portions thereof, any vehicle which cannot maintain a speed equal to the maximum stated speed less FIVE (5) KILOMETERS PER HOUR, for such street or highway or portions thereof; PROVIDED, that, the foregoing provisions shall have no force and effect on public holidays as defined in Article II of this Code.

SECTION 5. SPECIAL SPEED LIMITS ON ELEVATED STRUCTURES

(1) No person shall drive a vehicle over any bridge or other elevated structure constituting a part of a highway at a speed which can be maintained with safety to such bridge or structure, when such bridge or structure is signposted as provided in this Traffic Code.

(2) The Traffic Engineer, upon his own initiative, may conduct an investigation of any bridge or other elevated structure constituting a part of a highway, and if he shall thereupon find that such structure cannot with safety to itself withstand vehicles traveling at a speed otherwise permissible under this Traffic Code, the Traffic Engineer shall determine and declare the maximum speed of vehicles which such structure can withstand, and shall cause or permit suitable signs stating such maximum speed to be erected and maintained at a distance of 100 feet before each end of such structure.

SECTION 6. WHEN SPEED RESTRICTIONS NOT APPLICABLE.— The speed restrictions set forth in this Traffic Code shall not apply to an authorized emergency vehicle when responding to an emergency call, or when used in the pursuit of an actual or suspected violator of the law, or when responding to but not upon returning from a fire alarm; and the driver thereof sounds audible signal by bell, siren or exhaust whistle, and when such emergency vehicle is equipped with at least one lighted lamp exhibiting a red light visible under normal atmosphere conditions from a distance of 500 feet to the front of such vehicle. This provision shall not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons using the street; nor shall it protect the driver of any such vehicle from the consequences of his reckless disregard of the safety of others.

SECTION 7. CHARGING VIOLATIONS AND RULE IN CIVIL CASES

(1) In every charge of violation of any speed violation in this Traffic Code the complaint, also the summons or notice to appear, shall specify the speed at which the defendant is alleged to have driven, also the speed applicable within the street or at the location concerned.

(2) The foregoing provisions declaring speed limitations shall not be construed to relieve the plaintiff in any civil action or case from the burden of proving negligence on the part of the defendant as to the proximate cause of accident.

SECTION 8. SPEED OF CERTAIN VEHICLES RESTRICTED

(1) No vehicle equipped wholly or partly with solid rubber tires shall be operated upon any highway at a speed in excess of TEN (10) kilometers per hour.

(2) No vehicle transporting any explosive as a cargo or part of a cargo shall be operated upon any highway at a speed in excess of TWENTY-FIVE (25) kilometers per hour.

SECTION 9. COASTING PROHIBITED

(1) The driver of a motor vehicle when traveling upon a downgrade shall not coast with the gears of such vehicle in neutral.

(2) The driver of a commercial motor vehicle when traveling upon a downgrade shall not coast with the clutch disengaged.

SECTION 10. SPEED CONTESTS.— It shall be unlawful for any person to engage in or to aid or abet by whatever means, any motor vehicle speed contests or exhibition of speed on any public

street or any private street upon which the Province has been authorized to impose traffic regulations except as otherwise permitted by ordinance of the Sangguniang Panlalawigan of the Province of Cavite.

ARTICLE VIII TURNING AND STARTING AND SIGNALS ON STARTING, STOPPING AND TURNING

SECTION 1. REQUIRED POSITION AND METHOD OF TURNING AT INTERSECTIONS

(1) Wrong Execution of Right Turns. Both the approach for a right turn and a right turn shall be made as close as practicable to the right-hand curb or edge of the roadway, except as otherwise permitted by pavement markings or other official traffic control devices.

(2) Wrong Execution of Left Turns on Two-Way Roadways. At any intersection where traffic is permitted to move in both directions on each roadway entering the intersection, an approach for a left turn shall be made in that position of the right half of the roadway nearest the center line thereof and by passing to the right of such center line where it enters the intersection and after entering the intersection the left turn shall be made so as to leave the intersection to the right of the center line of the roadway being entered. Whenever practicable the left turn shall be made in that portion of the intersection the left of the center of the intersection.

(3) Left turns on other than two-way roadways. At any intersection where traffic is restricted to one direction on one or more of the roadways, the driver of a vehicle intending to turn left at any such intersection shall approach the intersection in the extreme left-hand lane lawfully available to traffic moving in the direction of travel of such vehicle and after entering the intersection the left turn shall be made so as to leave the intersection as nearly as practicable in the left-hand lane lawfully available to traffic moving in the direction of travel upon the roadway being entered.

(4) Left turns where both streets or roadways are one-way. The approach for a left turn and a left turn shall be made as close as practicable to the left-hand curb or edge of the roadway except as otherwise permitted by pavement markings or other official traffic control devices.

(5) In all cases where official marks, buttons, signs or directional arrows painted on the pavement are placed within or adjacent to intersections, no driver of a vehicle shall execute a movement at such intersections otherwise than as directed and required by such marks, buttons, signs or arrows.

SECTION 2. PROCEDURE AT CHANNELIZED INTERSECTION.— Where accelerating or decelerating lanes are provided for right or left turns at unsignalized intersections, vehicles shall proceed as follows:

(1) Vehicles intending to turn right to a roadway entrance, to which is gained by means of a right-turn accelerating lane, shall enter such roadway by means of the accelerating lane so provided and shall merge with caution into the right-lane traffic lane, unless otherwise instructed.

(2) Vehicles intended to turn right from a roadway exit, from which is made by means of a right-turn decelerating lane, shall enter the decelerating lane and merge with caution into the right-hand traffic lane, unless otherwise instructed.

(3) Vehicles intending to turn left into the far-roadway of a divided highway shall come to a complete stop before crossing the near-roadway of such highway and shall then proceed into the left-turn accelerating lane constructed in the medial strip area and shall merge with caution into the left-hand lane of the far-roadway, unless otherwise instructed; PROVIDED, where no accelerating lane exists, such left turn shall be made into the left-hand lane of far-roadway.

(4) Vehicles intending to turn left from a divided highway exit, from which is made by means of a left-turn decelerating lane constructed in the medial strip area, shall enter decelerating lane and shall yield the right-of-way to approaching vehicle before proceeding with caution across the intersection and into the intersecting roadway, unless otherwise instructed; PROVIDED, where no decelerating lane exists, such left turn shall be made with caution from the lane nearest to the medial strip.

SECTION 3. OBEDIENCE TO NO-TURN SIGNS

(1) Whenever authorized signs are erected indicating that no right or left or "U" turn is permitted, no driver of a vehicle shall disobey the directions of any such signs, unless otherwise instructed by a police officer or any other person authorized to direct, control or regulate the flow of traffic as provided in this Code.

(2) The turning movements described in Schedule IV attached hereto and made a part hereof are hereby prohibited.

SECTION 4. LIMITATIONS OF "U" TURN IN BUSINESS DISTRICT / INTERSECTION.— The driver of any vehicle shall not turn such vehicle so as to proceed in the opposite direction upon any street in a business district, upon any highway with three or more lanes, or at any intersection where traffic is controlled by traffic signal lights, except as otherwise permitted by official signs and markings.

SECTION 5. TURNING ON CURVE OR CREST OF GRADE PROHIBITED.— No

vehicle shall be turned so as to proceed in the opposite direction upon any curve, or upon the approach to, or near the crest of a grade, where such vehicle cannot be seen by the driver of any other vehicle approaching from either direction within 500 feet.

SECTION 6. MOVING PARKED VEHICLE — No person shall move a vehicle which is stopped, standing, or parked unless and until such movement can be made with reasonable safety.

SECTION 7. LIMITATIONS ON BACKING OR UNSAFE BACKING MANEUVERS/ CAUSING OBSTRUCTION — The driver of the vehicle shall not back the same unless such movement can be made with reasonable safety and without interfering with the flow of other traffic.

SECTION 8. SIGNALS ON STARTING, STOPPING AND TURNING

(1) The driver of any vehicle upon a public highway before starting, turning or stopping such vehicle shall first see that such movement or cessation of movement can be made safely; then if any pedestrian may be affected by such movement, the driver shall give a clearly audible signal by sounding a horn or other warning device, and whenever the operation of any other vehicle may be affected by this movement, the driver shall give a signal plainly visible to the driver of such other vehicle of the intention to make such movement.

(2) No person shall turn a vehicle at an intersection unless the vehicle is in proper position upon the roadway as required in Section 1, or turn a vehicle to enter a private road or driveway or otherwise turn a vehicle from a direct course or move right or left upon a roadway unless and until such movement can be made with reasonable safety. No person shall so turn any vehicle without giving an appropriate signal in the manner hereinafter provided in the event any other traffic may be affected by such movement.

(3) A signal of intention to turn right or left when required shall be given continuously turning not less than the last 100 feet traveled by the vehicle before turning.

(4) No person shall stop or suddenly decrease the speed of a vehicle without first giving an appropriate signal in the manner provided herein to the driver of the vehicle immediately to the rear when there is opportunity to give such signal.

(5) Any stop or turn signal when required herein shall be given either by means of hand and arm or by a signal lamp or lamps or mechanical signal device, which meets the requirements hereinafter set forth and which has been approved by the Provincial Director, but when a vehicle is so constructed or loaded that a hand-and-arm signal would not be visible both to the front and rear of such vehicle then said signals must be given by a signal lamp or lamps or signal device.

SECTION 9. HAND SIGNALS — All signals herein required given by hand and arm should be given from the left side of the standard vehicle and from the right side of a right-hand driven vehicle in the following manner and such signals shall indicate as follows:

(1) From a standard left-hand driven vehicle:

- (a) Left turn — Hand and arm extended horizontally.
- (b) Right turn — Hand and arm extended upward, and beyond the left side of the vehicle.
- (c) Stop and decrease speed — Hand and arm extended downward, beyond the left side of the vehicle, palm of hand to rear.

(2) From a right-hand driven vehicle:

- (a) Left turn — Hand and arm extended upward and beyond the right side of vehicle.
- (b) Right turn — Hand and arm extended horizontally.
- (c) Stop and decrease speed — Hand and arm extended downward, beyond the right side of the vehicle, palm and hand to rear.

ARTICLE IX DRIVING ON RIGHT SIDE OF ROADWAY, OVERTAKING AND PASSING

SECTION 1. DRIVING ON RIGHT SIDE OF ROADWAY; EXCEPTIONS

(1) Upon all roadways of sufficient width a vehicle shall be driven upon the right half thereof, except as follows:

- (a) When overtaking and passing another vehicle proceeding in the same direction under the rules governing such movement;
- (b) When the right half of a roadway is closed to traffic while under construction or repair;
- (c) Upon a roadway divided into three marked lanes for traffic under the rules applicable thereon; and

(d) Upon a roadway designated and signposted for one-way traffic.

(2) Upon all roadways any vehicle proceeding at less than the normal speed of traffic at the time and place and under the conditions then existing shall be driven in the right-hand lane, or as close as practicable to the right-hand curb or edge of the roadway, except when overtaking and passing another vehicle proceeding in the same direction or when preparing for a left turn at an intersection or into a private road or driveway.

SECTION 2. PASSING VEHICLES PROCEEDING IN OPPOSITE DIRECTION — Driver of vehicles proceeding in opposite directions shall pass each other to the right, and upon roadways having width for not more than one line of traffic in each direction, each driver shall give to the other at least one-half of the main traveled portion of the roadway as nearly as possible.

SECTION 3. OVERTAKING A VEHICLE ON THE LEFT — The following shall govern the overtaking and passing of the vehicles proceeding in the same direction subject to those limitations, exceptions and special rules hereinafter stated:

(1) The drive of a vehicle overtaking another vehicle proceeding in the same direction, shall pass to the left thereof at a safe distance and shall not again drive to the right side of the roadway until safely clear of the overtaken vehicle.

(2) Except when overtaking and passing on the right is permitted, the driver of an overtaken vehicle shall give way to the right in favor of the overtaking vehicle on audible signal and shall not increase the speed of his vehicle, until completely passed by the overtaking vehicle.

SECTION 4. WHEN OVERTAKING ON THE RIGHT IS PERMITTED

(1) The driver of a vehicle may overtake and pass upon the right of another vehicle only under the following conditions:

- (a) When the vehicle overtaken is making or about to make a left turn.
- (b) Upon a street or highway with unobstructed pavement, not occupied by parked vehicles, of sufficient width, and with lanes marked for two or more lines of moving vehicles in each direction.
- (c) Upon a one-way street or upon any roadway on which traffic is restricted to one direction of movement, where the roadway is free from obstructions and of sufficient width for two or more lines of moving vehicles.

(2) The driver of a vehicle may overtake and pass another vehicle upon the right only under conditions permitting at a movement in safety. In no event shall such movement be made, driving off the pavement or main traveled portion of the roadway.

SECTION 5. LIMITATIONS ON OVERTAKING ON THE LEFT — No vehicle shall be driven to the left side of the center of the roadway in overtaking and passing another vehicle proceeding in the same direction unless such left side is clearly visible and is free of oncoming traffic for a sufficient distance ahead to permit such overtaking and passing to be made completely without interfering with the safe operation of any vehicle approaching from the opposite direction of any vehicle overtaken. In every event the overtaking vehicle must return to the right hand side of the roadway before coming within 100 feet of any vehicle approaching from the opposite direction.

SECTION 6. FURTHER LIMITATIONS ON DRIVING TO LEFT OR CENTER OF ROADWAY

(1) No vehicle shall at any time be driven to the left of the centerline of a roadway under the following conditions:

- (a) When approaching the crest of a grade or upon a curve in the highway where the driver's view is obstructed within such distance as to create a hazard in the event another vehicle might approach from the opposite direction;
- (b) When approaching within one hundred feet of or traversing any intersection, or railroad grade crossing;
- (c) When the view is obstructed upon approaching within one hundred feet of any bridge, viaduct, or tunnel; and
- (d) On any roadway marked with a single solid or a double solid centerline except when streets are traffic coned to allow additional traffic lanes at time of emergency or peak traffic hours.

(2) The foregoing limitations shall not apply upon a one-way roadway.

SECTION 7. NO PASSING ZONES — The Traffic Engineer is hereby authorized to determine those portions of any highway where overtaking and passing or driving to the left of the roadway would be especially hazardous and said Traffic Engineer may by appropriate signs or markings on the roadway indicate the beginning and end of such zones.

SECTION 8. DRIVING ON ROADWAY LANED FOR TRAFFIC — Whenever any road-

way has been divided into two or more clearly marked lanes for traffic the following rules in addition to all others consistent herewith shall apply:

- (1) A vehicle shall be driven within the boundaries of a single lane and shall not be moved from such lane unless such movement can be made with safety.
- (2) No person operating a motorcycle or motor-scooter shall pass another vehicle that is within the same lane or attempt to pass another vehicle or to come abreast of such other vehicles by operating such motorcycle or motor-scooter stop of and following the course of traffic lane markings.
- (3) Upon a roadway which is divided into three lanes a vehicle shall not be driven in the center lane except when overtaking and passing another vehicle where the roadway is clearly visible and such center lane is clear of traffic with in a safe distance, or in preparation for a left turn or where such center lane is at the time allocated exclusively to traffic moving in the direction the vehicle is proceeding and is signposted to give notice of such allocation.
- (4) Official signs may be erected and/or the pavement marked directing slow moving traffic to use a designated lane or designating those lanes to be used by traffic moving in a particular direction regardless of the center of the roadway and drivers of vehicles shall obey the directions of all signs and/or markings.

SECTION 9. FOLLOWING TOO CLOSELY

- (1) The driver of a motor vehicle shall not allow another vehicle more closely than is reasonable and prudent, having due regard for the speed of such vehicle and the traffic upon and the condition of the highway.
- (2) The driver of any motor truck or motor vehicle drawing another vehicle when traveling upon a roadway outside of a business or residence district and which is following another motor truck or motor vehicle drawing another vehicle shall, whenever conditions permit, leave sufficient space so that an overtaking vehicle may enter and occupy such space without danger, except that this provision shall not prevent a motor truck or motor vehicle drawing another vehicle from overtaking and passing any like vehicle or other vehicle.
- (3) Motor vehicles being driven upon any roadway outside of a business or residence district in a caravan or motorcade, whether or not towing other vehicles, shall be so operated as to allow sufficient space between each such vehicle or combination of vehicles so as to enable any other vehicle to enter and occupy such space without danger. This provision shall not apply to funeral processions or other processions moving under police escort.

SECTION 10. DRIVING ON DIVIDED HIGHWAY — Whenever any highway has been divided into two or more separate roadways by medial strips, every vehicle shall be driven only upon the right-hand roadway and no vehicle shall driven over, across or within any such medial strips except through an opening in such strips or at a crossover or intersection; PROVIDED, however, that a driver who enters such opening, crossover or intersection shall yield the right-of-way to approaching vehicles before emerging upon the adjacent roadway of such divided highway unless otherwise instructed.

SECTION 11. RESTRICTED ACCESS — No person shall drive a vehicle onto or from any limited-access roadway except at such entrance and exits as are established by public authority.

ARTICLE X ONE-WAY STREETS

SECTION 1. ONE-WAY STREETS

- (1) Vehicular traffic, on any street or highway or portions thereof designated by the Sangguniang Panlalawigan by ordinance as a one-way street, shall move only in the direction indicated by signs erected and maintained thereon.
- (2) The streets, highways or portions thereof described in Schedule V, amended by _____ attached hereto and made a part hereof are hereby designated one-way streets.

ARTICLE XI RIGHT-OF-WAY

SECTION 1. VEHICLES APPROACHING OR ENTERING INTERSECTIONS

- (1) The driver of a vehicle approaching an intersection shall yield the right-of-way to a vehicle which has entered the intersection from a different highway.
- (2) When two vehicles enter an intersection from different highways at approximately the same time, the driver of the vehicle on the left shall yield the right-of-way to the vehicle on the right.
- (3) The foregoing rules are modified at through highways and otherwise as hereinafter stated.

SECTION 2. VEHICLES TURNING LEFT AT INTERSECTIONS — The driver of a vehicle within an intersection intending to turn left shall yield the right-of-way to any vehicle approaching from the opposite direction which is within the intersection, or so close thereto as to constitute an immediate hazard.

SECTION 3. VEHICLE ENTERING THROUGH STREETS OR STOP INTERSECTIONS

- (1) The driver of a vehicle shall stop as required by this Traffic Code at the entrance to a through street and shall yield the right-of-way to other vehicles which have entered the intersection from said through street which are approaching so closely on said through street as to constitute an immediate hazard.
- (2) The driver of a vehicle shall likewise stop in obedience to a stop sign as required herein at an intersection where a stop sign is erected at one or more entrance thereto although not a part of a through street and shall proceed cautiously, yielding to vehicles not so obliged to stop which are within the intersection or approaching so closely as to constitute an immediate hazard, but may then proceed.

SECTION 4. VEHICLES TO YIELD RIGHT-OF-WAY

- (1) Whenever any person driving a vehicle approaches an intersection with a "Yield Right-of-Way" sign facing him, he shall yield the right-of-way to any pedestrian within a marked or unmarked crosswalk at such intersection, or to any vehicle which is within such intersection or approaching so closely thereto as to constitute an immediate hazard.
- (2) "Yield Right-of-Way" intersection in addition to those already heretofore established are hereby established as described in Schedule VI attached hereto and made a part hereof.

SECTION 5. DESIGNATION OF ADDITIONAL STOP INTERSECTIONS — Stop intersection in addition to those already heretofore established are hereby established as described in Schedule VII attached hereto and made a part hereof.

ARTICLE XII SPECIAL STOPS

SECTION 1. THROUGH STREET DESIGNATED

- (1) When stop signs are erected upon streets or highways intersecting any through street at the entrance thereto, or upon any other street or highway at the entrance to any intersection, every driver of a vehicle and every driver or operator of any moving vehicle shall stop at the stop line; PROVIDED, however, that in the event there is no stop line, then said driver or operator shall stop at the nearest line marking the crosswalk at such entrance; and, PROVIDED, FURTHER, that in the event there is no such line, then said driver or operator shall stop at the place where such street meets the prolongation of the nearest property line of such through street or other street or highway to be entered.
- (2) The "stop line" shall mean a clearly visible solid white line or lines extending across a roadway or any portion thereof to indicate the point at which all vehicles of whatever class are required to stop in compliance with the requirements of this Code.
- (3) A through street shall be any street or highway as heretofore defined or portion thereof so designated by the Council of the Province of Cavite. In addition to such streets, highways and portions thereof heretofore designated as "through streets" by resolution not heretofore modified nor redesignated otherwise, the streets, highways and/or portions thereof described in Schedule VIII attached hereto and made a part hereof are hereby designated as through streets.

SECTION 2. EMERGING FROM ALLEY OR DRIVEWAY — The driver of a vehicle emerging from an alley, driveway or building shall stop such vehicle immediately prior to driving onto a sidewalk or onto the sidewalk area extending across such alley, driveway or building, and shall yield the right-of-way to any pedestrian as may be necessary to avoid collision, and upon entering the roadway, shall yield the right-of-way to all vehicles approaching on said roadway.

SECTION 3. STOP WHEN TRAFFIC OBSTRUCTED — No driver of a vehicle shall enter an intersection of a marked or unmarked crosswalk unless there is sufficient space on the other side of the intersection or crosswalk to accommodate the vehicle he is driving without obstructing the passage of other vehicles or pedestrians, notwithstanding any traffic control signal indication to proceed.

ARTICLE XIII STOPPING, STANDING AND PARKING

SECTION 1. STOPPING, STANDING OR PARKING OUTSIDE OF BUSINESS OR RESIDENCE DISTRICT

- (1) Upon any highway outside of a business or residence district no person shall stop, park, or leave standing any vehicle, whether attended or unattended, upon the paved or main traveled part of the highway, when it is practical to stop, park or to leave such vehicle off such part of said highway, but in every event an unobstructed width of highway opposite a standing vehicle shall be left for free passage of other vehicles and a clear view of such stopped vehicle shall be available from a distance of 200 feet in each direction upon such highway.
- (2) The foregoing provisions shall not apply to the driver of a vehicle which is disabled while on the paved or main traveled portion of a highway in such manner and to such disabled vehicle in such position.

SECTION 2. OFFICERS AUTHORIZED TO REMOVE ILLEGALLY STOPPED VEHICLES

(1) Whenever any police officer finds a vehicle standing upon a highway in violation of any of the foregoing provisions, such officer is hereby authorized to move such vehicle, or require the driver or other person in charge of the vehicle to move the same, to a position off the paved or main traveled part of such highway.

(2) Whenever any police officer finds a vehicle unattended upon any bridge or causeway where such vehicle constitutes an obstruction to traffic, such officer is hereby authorized to provide for the removal of such vehicle to the nearest garage or other place of safety.

(3) The expense incurred in the removal of such vehicle shall be borne by the owner of the vehicle.

SECTION 3. PARKING STALLS: REQUIRED PARKING THEREIN

(1) The Traffic Engineer is hereby authorized and directed to establish, mark and designate, where there is an apparent need therefore, a consecutive series of parking stalls for the parallel or angle parking of motor vehicles upon any street.

(2) Whenever parking stalls are so established, marked off and designated, the driver of any vehicle, excepting only single vehicles of a greater length or width shall park such vehicle completely within a designated stall.

(3) Except as otherwise permitted by law, if on-street parking stalls or spaces are established, marked off and designated along any street block, it shall be unlawful for the driver of any vehicle to park such vehicle in any portion of such street block, other than in a stall or space so established, marked off and designated for parking along such street block.

(4) Except as otherwise permitted by Section 12 of this Article wherever parking stalls are so established, marked off and designated, each stall shall be for the use of single vehicle only and it shall be unlawful for the driver of any vehicle to park such vehicle in stall already occupied by another vehicle.

(5) The term "street block" as used in this section shall mean one side of any street, the length of such side extending between two consecutive intersections; or, in the case of a dead-end street, the length of such side extending between the dead-end and the nearest intersection.

SECTION 4. RESERVE PARKING STALLS — Any parking established by the Sangguniang Panlalawigan as a "reserve parking stall" shall be used only for the purpose or purposes for which the same shall be established. All such officially established reserved parking stalls are hereby authorized on those streets or portions thereof described in Schedule IX attached hereto and made a part hereof.

SECTION 5. STANDING OR PARKING CLOSE TO CURB — Upon any roadway within a business or residence district, no person shall stand or park a vehicle other than parallel with the edge of the roadway, headed in the direction of traffic, and with the curbside wheels of the vehicle within twelve (12) inches of the edge of the roadway, except while parked only within stalls marked or designated pursuant to Section 3, Article XIII of

SECTION 6. SELLING ON PUBLIC STREETS OR HIGHWAYS PROHIBITED — It shall be unlawful for any itinerant vendor, peddler or huckster to carry on or solicit business on any public highway or street at any time.

SECTION 7. REGISTERED OWNER'S RESPONSIBILITY: REGISTRATION PLATES AS PRIMA FACIE EVIDENCE AS TO PARKING — In any proceeding for violation of the parking provisions of this Traffic Code, the serial number displayed on the registration plate attached to the vehicle involved in such violation shall constitute in evidence a prima facie presumption that the registered owner of such vehicle was the person who parked such vehicle at the point where, and during the time when, such violation occurred.

SECTION 8. UNATTENDED MOTOR VEHICLE — Except as hereinafter provided, no person operating or in charge of a motor vehicle shall permit it to stand unattended without first stopping the engine, locking the ignition, removing the ignition key from the vehicle, and effectively setting the brakes thereon, and when standing upon any grade, turning the front wheels to the curb or side of the highway.

SECTION 9. ABANDONED VEHICLES ON HIGHWAY — No person shall abandon any vehicle on the public highway. The Provincial Director is hereby authorized to remove or cause to be removed any such abandoned vehicle from the highway, and the registered owner of such vehicle shall be liable for all reasonable expenses incurred by such removal. Leaving vehicles unattended for more than 24 hours shall constitute abandonment within the meaning of this section.

SECTION 10. AUTHORITY TO STORE VEHICLES

(1) Members of the police department are hereby authorized to remove a vehicle from a street or highway to the nearest garage or other place of safety under the circumstances hereinafter enumerated:

- (a) When a vehicle upon a highway is so disabled as to constitute an obstruction to traffic and the person or persons in charge of the vehicle are by reason of physical injury incapacitated to such an extent as to be unable to provide for its custody or removal

(b) When any vehicle is left unattended upon any bridge, viaduct, or causeway where such vehicle constitutes an obstruction to traffic.

(c) When any vehicle is left unattended upon a street and is so parked illegally as to constitute a definite hazard or obstruction in the normal movement of traffic.

(d) When any vehicle is left unattended or parked in tow or tow-away zones during the time of restricted parking during the morning peak traffic hours designated by official signs specifying the hours of restricted parking everyday, except Saturdays, Sundays, and public holidays on the streets or portions thereof described in Schedule X attached hereto and made a part hereof.

(e) When any vehicle is left unattended or parked in tow or tow-away zones during the time restricted parking during the afternoon peak traffic hours designated by official signs specifying the hours of restricted parking everyday, except Saturdays, Sundays and public holidays on the streets or portions thereof described in Schedule XI attached hereto and made a part hereof.

(f) When any vehicle is left unattended or parked in tow or tow-away zones during the time restricted parking during the morning and/or afternoon peak traffic hours designated by official signs specifying the hours of restricted parking everyday, except Saturdays, Sundays and public holidays on the streets or portions thereof described in Schedule XII attached hereto and made a part hereof.

(g) When any vehicle is left unattended or parked in tow or tow-away zones at all hours of any day on the streets or portions thereof described in Schedule XIII attached hereto and made a part hereof.

(h) When any vehicle is left unattended or parked in tow zones during the time of restricted parking designated by official signs specifying those times of restricted parking on the streets or portions thereof described in Schedule XIV attached hereto and made a part hereof.

(i) When any vehicle is left unattended upon a street and is parked in front of a public or private driveway so as to constitute an obstruction to vehicular traffic using such driveway for purpose of egress and ingress.

(j) When a vehicle is left unattended and parked on a street or portion thereof so as to interfere with or impede construction or repairs being made thereon: PROVIDED, adequate signs giving notice of construction and prohibiting such parking and designating the time of the prohibition are properly posted by the Traffic Engineer.

(k) When any vehicle is left unattended upon any street within ten (10) feet of a fire hydrant.

(2) Whenever an officer removes or causes to be removed a vehicle from a street as authorized herein and the officer knows or is able to ascertain from the registration records in the vehicle the name and address of the owner thereof, such officer shall immediately give or cause to be given notice to the police department dispatch office the fact of such removal and the reasons therefore, and of the place to which such vehicle has been removed.

(3) Whenever an officer removes a vehicle from a street and does not know and is not able to ascertain the name of the owner as hereinbefore provided, and in the event the vehicle is not returned to the owner within a period of three (3) days, then and in that event, the officer shall immediately send or cause to be sent a written report of such removal to the Provincial Director who in turn shall immediately make a written report to the Provincial Governor.

(4) The registered owner of the vehicle shall be liable for all reasonable expenses incurred by such removal and storage.

SECTION 11. AUTHORITY TO DISPOSE OF UNCLAIMED VEHICLES

(1) The Provincial Director is hereby authorized and empowered to recommend to the Provincial Governor the disposal of vehicles which have been taken into custody of the Provincial Director or his authorized subordinates as prescribed in the preceding section. Such disposition shall be at public auction under such procedure, as the Provincial Governor shall establish with the approval of the Sangguniang Panlalawigan. Written notice of such auction shall be sent to the last known registered owner by certified mail, addressed to the owner's last known address, at least 10 days prior to the date of auction, and said auction shall be held not earlier than 60 days after the date upon which such vehicle shall have been taken into custody. Any person entitled to any such vehicle may claim the same at any time prior to such auction upon payment of all costs and expenses relating to the towing and storage of such vehicle, as determined by the Provincial Director or his authorized subordinates.

(2) The funds derived from any such auction shall be used to defray the expenses of such auction and any other expenses incurred in taking into custody or keeping such vehicles, and the balance, if any, shall become part of the General Fund.

(3) In the event that no bid is received, the Provincial Governor shall offer such vehicle to any interested person under such terms favorable to the Province with the approval of the Sangguniang Panlalawigan and if no person is interested, the Provincial Governor shall offer such vehicle to the

Department of General Services of the Province for its use or for salvage; and in the event said Division shall reject such offer, the Provincial Governor shall dispose of such vehicle at a Provincial Refuse Dump at the expenses of the Province.

SECTION 12. MOTORCYCLES AND MOTORSCOOTERS — Notwithstanding any provision to the contrary, the following shall apply to on-street parking of motorcycles and motorscooters in spaces marked for parallel parking.

- (1) More than one motorcycle or motorscooters or a combination of such motorcycles and motorscooters shall be permitted to park in spaces marked for parallel parking.
- (2) Regardless of the number of motorcycle or motorscooters parked within a metered parking space, the parking fees shall be the rate established for such parking space.
- (3) Any motorcycle or motorscooters parked within any space marked for parallel parking, shall be parked diagonally (at the angle of approximately 60 degrees to the curb line) with the front and facing the street and in the direction which the vehicles in the near lane of traffic are traveling.
- (4) A minimum clearance of three (3) feet at each of the parallel parking space shall be maintained; PROVIDED, that only the vehicle parked within the three-foot area shall be deemed to be in violation of the minimum clearance requirement.
- (5) No person shall prevent the parking of additional motorcycle or motorscooters when space is available within any parallel parking space.
- (6) Any motorcycles or motorscooters parked within any parallel parking space shall be entitled to the full parking time permitted by law; PROVIDED, that in any metered space each and every vehicle parked within such space shall be deemed to be parked illegally, if the meter displays a violation.

SECTION 13. PARKING ON PARADE ROUTES AND ON ANY SPECIAL OCCASION — The Traffic Engineer is hereby authorized, whenever in his judgment he deems it necessary, to prohibit or restrict the parking of any vehicle on either or both sides of any street or portion thereof, constituting a part of the route of a parade or a procession, or on any special occasion, and also upon any street adjacent thereto by the erection or placement of temporary signs setting forth such restrictions. When such signs are erected or placed prior to the parade, procession or special occasion, it shall be unlawful to park or leave unattended any vehicle in violation of such signs.

The Provincial Director is hereby authorized to remove or cause to be removed, at the owner's expense, any vehicle left unattended or parked in violation of such signs.

**ARTICLE XIV
STOPPING, STANDING OR PARKING PROHIBITED
IN SPECIFIED PLACES**

SECTION 1. STOPPING, STANDING OR PARKING PROHIBITED IN SPECIFIED PLACES. NO SIGNS REQUIRED.

(1) No person shall stop, stand or park a vehicle except when necessary to avoid conflict with other traffic or in compliance with the law or the directions of a police officer or traffic control device in any of the following places:

- (a) On a sidewalk;
- (b) Within four feet of either side of a public or private driveway;
- (c) Within an intersection;
- (d) Within ten (10) feet of a fire hydrant;
- (e) On a crosswalk;
- (f) Within twenty (20) feet of crosswalk at an intersection or within twenty (20) feet upon the approach to any mid-block crosswalk;
- (g) Within thirty (30) feet upon the approach to any flashing beacon or stop sign located at the side of a roadway;
- (h) Within one hundred (100) feet (equivalent to 30.5 meters) upon the approach to any traffic control signal;
- (i) On the far side of the street or any signalized intersection within thirty (30) feet of the curb line of the intersection street. As used herein, the term "signalized intersection" means an intersection whereat traffic is controlled by official traffic control signals;
- (j) Between a safety zone and the adjacent curb or within thirty (30) feet of points on the curb immediately opposite the ends of a safety zone unless there be a different length indicated by signs or markings;
- (k) Within twenty (20) feet of the driveway entrance to any fire station and on the side of a street opposite the entrance of any fire station within seventy (70) feet of said entrance when proper signs give notice of such restriction and / or the curb is painted red;
- (l) Alongside or opposite any street excavation or obstruction when stopping, standing or parking would obstruct traffic;

- (m) On the roadway side of any vehicle stopped or parked at the edge of the curb or roadway;
- (n) Upon or beneath any bridge or other elevated structure upon a highway or within a highway tunnel;
- (o) Any place where official signs prohibit stopping;
- (p) In front of the entrance of any theater during the hours moving pictures or legitimate play productions are being exhibited therein; PROVIDED, however, that this provision shall not apply where the operator of a vehicle stops temporarily before such entrance for the purpose of loading or unloading passengers;
- (q) In front of the entrance of any hotel containing more than twenty guestrooms; PROVIDED, however, that this provision shall not apply where the operator of a vehicle stops temporarily before such entrance for the purpose of loading or unloading passengers;
- (r) On either side of any street with a traffic way of eighteen (18) feet or less when official signs are erected, giving notice thereof;
- (s) On the medial strip of divided highway;
- (t) On a traffic island; and
- (u) Within the turnaround area of any dead-end street.

(2) No person shall move a vehicle not lawfully under his control onto any such prohibited area or away from a curb to such a distance as is unlawful.

SECTION 2. VEHICLES SHALL NOT BE DRIVEN ON A SIDEWALK — No person shall drive a vehicle within any sidewalk area except at a permanent or temporary driveway.

SECTION 3. OBSTRUCTION TO SIDEWALK PROHIBITED — No person shall stand or park a vehicle in such a manner that any portion of such vehicle obstructs a sidewalk or portion thereof.

SECTION 4. PARKING NOT TO OBSTRUCT TRAFFIC — No person shall park any vehicle upon a street or alley in such manner or under such conditions as to leave available less than ten (10) feet of the width of the street or alley for the free movement of vehicular traffic.

SECTION 5. PROHIBITED PARKING WITHIN THE PROVINCE OF CAVITE

(1) When official signs are erected giving notice of the prohibition against parking, no person shall stop, stand or park a vehicle any longer than is absolutely necessary to take on or discharge passengers or freight upon any of the streets or portions thereof.

(2) Where official signs are erected prohibiting loading or unloading at specified locations during certain hours of the day, no vehicle shall stop, stand or park at those places for any reason during the hours of prohibited loading and unloading.

SECTION 6. PARKING PROHIBITED DURING CERTAIN HOURS WITHIN THE PROVINCE OF CAVITE

(1) When official signs are erected giving notice thereof, no person shall stop, stand or park a vehicle any longer than is absolutely necessary to take on or discharge passenger or freight, upon any of the streets or portions thereof within the Province of Cavite, between the hours indicated on such signs.

(2) When official signs are erected specifying the hours of restricted parking during the morning peak traffic and / or afternoon peak traffic hours, no person shall stop, stand or park a vehicle, even momentarily, upon any of the streets or portions thereof between the hours indicated on such signs.

SECTION 7. PARKING FOR CERTAIN PURPOSES PROHIBITED — No person shall park a vehicle upon any roadway for the principal purpose of:

- (1) Displaying such vehicle for sale;
- (2) Washing, greasing, or repairing such vehicle except repairs necessitated by an emergency.

SECTION 8. PROHIBITED STOPPING WITHIN THE PROVINCE OF CAVITE — When official signs are erected giving notice thereof, no person shall stop a vehicle even momentarily whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with directions of a police officer, or any other persons authorized to direct and regulate traffic or traffic control sign or signal within the hours indicated on such sign upon any of the streets or portions thereof within the Province of Cavite as described in Schedule XXI attached hereto and made a part hereof.

SECTION 9. CURB MARKINGS PROHIBITION ON STOPPING, STANDING OR PARKING OF VEHICLES SHALL BE DESIGNATED IN RED — Whenever any curb markings are to be used to designate that curbside stopping, standing or parking are prohibited within a certain area such markings shall be red in color. No stopping curbs shall be colored yellow striped with blue. No parking curbs shall be colored red. Hydrants shall be colored blue. Pay parking bays shall be colored white.

SECTION 10. PARKING OF TRUCKS, CARS, TARTANILLAS, CARROMATAS AND OTHER KINDS OF VEHICLES

(1) Parking of trucks, cars, tuktuk, carromatas, and other kinds of vehicles shall be made parallel to the side of any street in the Province of Cavite.

(2) **PROHIBITED ACT.** Parking of trucks, cars, tuktuk, carromatas and other kinds of vehicles on any street in the Province of Cavite where the width is below eight (8) meters is prohibited at night time between 12:00 midnight to 5:00 in the morning of the following day.

(3) Any ordinance, rules and regulations in conflict with this ordinance is hereby deemed repealed.

(4) **PENALTY.** Any violation of this ordinance shall be punishable by a fine of not less than FIVE HUNDRED (P500.00) PESOS nor more than TWO THOUSAND (P2,000.00) PESOS or an imprisonment of not less than TEN (10) DAYS nor more than THIRTY (30) DAYS or both such fine and imprisonment at the discretion of the court; PROVIDED, that if the violator opts to pay a compromise penalty before the filing in court of a case for such violation, the Provincial Treasurer is hereby authorized to enforce and collect a compromise penalty of THREE HUNDRED (P300.00) PESOS from the violator.

(5) **REPEALING CLAUSE.** Any ordinance of the Province of Cavite or parts thereof which are contrary or inconsistent herewith are hereby repealed, amended, or modified accordingly.

SECTION II. CLAMPING OF ANY MOTOR VEHICLE

(1) **POLICY.** It is the policy of the government of Cavite to immobilize any motor vehicle violating any provision of any Provincial Ordinance on Parking Prohibitions or Restrictions, more particularly Ordinance No., otherwise known as the Traffic Code of Province of Cavite, as amended, in order to have a smooth flow of vehicular traffic in all the streets in the Province of Cavite at all times.

(2) **IMMOBILIZATION OF VEHICLES.** Any vehicle found violating any provision of any existing ordinance of the Province of Cavite which prohibits, regulates or restricts the parking of vehicles shall be immobilized by clamping any tire of the said violating vehicle with the use of a Denver boot vehicle immobilizer or any other specific gadget designed to immobilize motor vehicles. For this particular purpose, any traffic enforcer of the Province (regular PNP Personnel or Cavite Provincial Traffic Law Enforcement Personnel) is hereby authorized to immobilize any violating vehicle as hereinabove provided.

(3) **PUNITIVE ACTION.** Any motor vehicle found violating the provision pursuant to parking restrictions and parking prohibitions, in its specific or generic sense, shall be immobilized, by all means, using a Denver Boot Vehicle Immobilizer or other special gadgets designed to immobilize motor vehicles, so that the driver or owner of the subject motor vehicle shall be made to answer for his / her conduct unbecoming of a good driver or motor vehicle operator.

An immobilized motor vehicle shall only be set free by the traffic enforcer, directly concern with the case, upon presentation of paper works or receipt of payment from the Traffic Violations Bureau (TVB), CPTOM and / or other authorized agency having jurisdiction, in connection with the specific penalty imposed on certain parking violation or the compromised agreement opted by the driver / owner of the motor vehicle which has been immobilized.

(4) **PENALTIES.** Any motor vehicle, owner or driver violating any ordinance on parking prohibitions, regulations and / or restrictions, as may be provided under Ordinance No. as amended, or any other existing ordinance, shall be penalized in accordance with the penalties imposed in the ordinance so violated, provided that the vehicle immobilizer may not be removed or released without its owner or driver paying first to the Provincial Treasurer of Cavite through the Traffic Violations Bureau (TVB) all the accumulated penalties for all prior traffic law violations that remain unpaid or unsettled, plus the administrative penalty of FIVE HUNDRED (P500.00) PESOS for the immobilization of the said vehicle and receipts of such payments presented to the concerned personnel of the bureau responsible for the release of the immobilized vehicle, unless otherwise ordered released by any of the following officials:

- (1) Chairman, CPTOM
- (2) Chairman, Committee on Police, Fire and Penology
- (3) Assistant Provincial Fiscal

(4.1) Any person who tampers or tries to release an immobilized or clamped motor vehicle by destroying the Denver boot vehicle immobilizer or other such special gadgets, shall be liable for its loss or destruction and shall be prosecuted for such loss or destruction under prin or penalty under the Revised Penal Code and any other existing ordinance of the Province of Cavite for the Criminal Act, in addition to his / her civil liabilities under the Civil Code of the Philippines; PROVIDED, that any suit act may not be compromised nor settled amicably extra judicially.

(4.2) Any immobilized vehicle which is unattended and constitute an obstruction to the free flow of traffic or a hazard thereof shall be towed to the provincial government impounding area for safekeeping and may be released only after the provisions of Section 3 hereof shall have been fully complied with.

(4.3) Any person who violates any provision of this ordinance shall, upon conviction, be penalized with imprisonment of not less than ONE (1) MONTH nor more than SIX (6) MONTHS or

of a fine of not less than TWO THOUSAND (P2,000.00) PESOS nor more than FIVE THOUSAND (P5,000.00) PESOS, or both such imprisonment and fine at the discretion of the court.

(5) **SEPARABILITY CLAUSE.** Should any provision of this ordinance be declared unconstitutional or illegal by any court of competent jurisdiction, the same shall become invalid and unenforceable while those provisions not so declared shall remain effective and enforceable.

**ARTICLE XV
PAY PARKING**

SECTION 1. Upon effectivity of this ordinance, all vehicle owners who park their vehicles on any province or national street, designated by the Provincial Governor as recommended by Cavite Transportation and Traffic Engineering Office (CTTE) and the Chief, Traffic Division, Cavite Provincial Police Office, shall be required to pay the necessary parking fee.

SECTION 2. Vehicle refers to something that moves on wheels such as, automobile, jeep and truck.

SECTION 3. Issuance of parking fee tickets shall commence at 8:00 in the morning up to 7:00 in the evening everyday. Payment of parking fees shall be assessed in the following manner:

- (a) P10.00 — first two hours or fraction thereof; and
- (b) P2.00 — every additional hour or fraction thereof.

SECTION 4. The collection of parking fee shall be under the supervision of the Office of the Provincial Treasurer who shall formulate a plan for efficient collection of parking fees.

SECTION 5. For the proper and effective implementation of this ordinance, the Provincial Governor is hereby authorized to set up the necessary guidelines, rules and regulations. He is also authorized to appoint / designate a coordinator who shall coordinate the activities of those involved in the implementation of the pay-parking scheme. The coordinator shall be directly responsible to the Provincial Governor. In particular, the coordinator shall coordinate with the following bodies indicated and other relevant activities:

- (a) Cavite Transportation and Traffic Engineering Office (CTTEO) for the selection of streets for pay-parking and preparation of necessary plans and designs.
- (b) Office of the Provincial Engineer for the implementation of physical improvements such as road markings and installation of traffic signs.
- (c) Office of the Provincial Treasurer for the hiring of parking aides, efficient and effective collection of parking fees and for the preparation of financial reports.
- (d) Traffic Bureau, Cavite Provincial Police Office, PNP for the enforcement of parking rules and regulations.
- (e) Municipal Trial Court of Cavite for the disposition of cases involving non-payment of parking fees as necessary.

SECTION 6. The Cavite Government or its duly authorized representatives shall not be responsible for the loss and / or damage of vehicles or any of its accessories or articles left therein.

SECTION 7. The vehicle owner or his driver shall be held liable for any damage caused by him or his driver to person(s) or any property within the parking area. In all cases, it shall be understood that the vehicle owner or his driver shall strictly observe traffic rules and regulations in the designated parking area.

SECTION 8. For this purpose, an initial amount of TEN THOUSAND (P10,000.00) PESOS is hereby appropriated to cover the printing of parking fee tickets and other incidental expenses in connection therewith.

SECTION 9. The Function of CTMO — The Cavite Traffic Management Office (CTMO), created under Ordinance No. 003-2000, shall, from time to time, or as it may deem necessary, recommend for approval by the Sangguniang Pnabagsod the designation of streets in Cavite for Pay Parking Use aside from those mentioned in Section 2 hereof, and shall exercise supervision and control of the personnel assigned thereto.

SECTION 10. Designated Streets — For the purpose of this ordinance, the following entire streets or portions of some streets in the Province of Cavite are hereby designated and set aside for parking spaces for vehicles for a fee:

SECTION 11. RATE OF FEES — There shall be collected the amount of FOUR (P4.00) PESOS for every hour or fraction thereof from drivers and / or owners of motor vehicles who shall avail of the parking spaces mentioned in Section 2 hereof.

SECTION 12. PARKING AIDES — The Provincial Treasurer's Office for the purpose of this ordinance, shall recommend to the Provincial Governor the hiring of Parking Aides who shall be charged with the duties of collecting the fees for the use of the pay parking facilities, using any form of official receipt, from the driver and / or owner of the motor vehicles parked in said designated streets

and when so hired shall be required to post a cash or fidelity bond of not less than SIX HUNDRED (P600.00) PESOS but not more than ONE THOUSAND (P1,000.00) PESOS in order to safeguard the funds that come into their possession in compliance with Paragraphs 1 and 2, Section 101, Chapter 5 of P.D. 1445, otherwise known as "The Government Auditing Code of the Philippines."

SECTION 13. ACCRUAL OF PARKING FEES — Parking fees collected under this ordinance shall accrue to the provincial government of Cavite, who shall allocate / share fifty (50%) percent of the net thereof to the Trust Fund of the Cavite Traffic Management Office (CTMO) to be used for the maintenance and operation of traffic areas and for traffic improvement projects.

SECTION 14. TRAFFIC SIGNS AND PAVEMENT MARKINGS — The Traffic Engineering Division shall prepare the details and plan specifications and shall implement the installation of appropriate traffic signs and pavement markings.

SECTION 15. PROHIBITION — It shall be unlawful for any driver and / or owner:

- (1) To cause non-payment of the use of the pay-parking bays;
- (2) To cause a vehicle to park more than the duration of time of expiration / departure stated in the pay-parking ticket;
- (3) To use the same parking bay for more than THREE (3) HOURS; and
- (4) To park a vehicle outside the painted parking bays within a designated pay-parking zone.

SECTION 16. LIABILITY OF DRIVERS AND / OR OWNERS — The drivers and / or owners of motor vehicles shall be liable jointly and severally for the non-payment of parking fees and for violation of any provisions of this ordinance.

SECTION 17. APPROPRIATION FOR INITIAL EXPENSES — In order to immediately implement the provisions of this ordinance, there shall be appropriated the amount of ONE HUNDRED THOUSAND (P100,000.00) PESOS from any source of fund that the Provincial Treasurer may designate to defray the initial expenses necessary for the establishment and operation of parking spaces.

SECTION 18. PENALTY. — Any person or persons responsible for the violations of any of the foregoing provisions shall be criminally prosecuted and upon conviction, be punished by a fine of not exceeding FIVE HUNDRED (P500.00) PESOS or imprisonment of not less than ONE (1) MONTH or both such fine and imprisonment at the discretion of the court.

SECTION 19. REPEALING CLAUSE — All other ordinances or parts thereof inconsistent with the provision of this ordinance are hereby deemed repealed, modified or amended, accordingly.

ARTICLE XVI STOPPING FOR LOADING AND UNLOADING ONLY

SECTION 1. STANDING IN LOADING ZONES FOR LOADING OR UNLOADING ONLY

- (1) No person shall stop, stand or park a vehicle for any purpose or period of time other than the expeditious loading or unloading of passengers in any place marked as a passenger curb loading zones during hours when the regulations applicable to such passenger curb loading zones are effective and then only for a period not to exceed three minutes.
- (2) No person shall stop, stand or park a vehicle for any purpose or any length of time in any space marked as a freight curb loading zone during the hours of 7:00 a.m. to 9:00 a.m., 11:00 a.m. to 12:30 p.m. and 4:00 p.m. to 7:00 p.m., Mondays to Saturdays inclusive.
- (3) Whenever any curb markings are to be used to designate loading zones, such markings shall be yellow in color.
- (4) The establishment, relocation or abolishing of curb loading zones in the manner provided by law is hereby authorized at the locations described in Schedule XVI attached hereto and made a part hereof.
- (5) The establishment of curb teller zones is hereby authorized as follows: A curb teller zone is hereby established on the right side of the direction of the traffic extending for a distance of 45 feet in the same direction, commencing 20 feet of the prolongation of the lateral curb line on the right side of the road at its intersection with another street.

SECTION 2. BOARDING OR ALIGHTING FROM ANY VEHICLE, AND USE OF VEHICLE DOORS — No person shall board or alight from any vehicle while such vehicle is in motion, and no person shall open the door of the motor vehicle on the side toward moving traffic unless and until it is reasonably safe to do so, nor shall any person leave a door of a vehicle open on the side toward moving traffic for a period of time longer than necessary to load or unload passengers.

SECTION 3. BUSES AND / OR PUBLIC UTILITY JEEPNEYS (PUJ) AND OTHER PUBLIC UTILITY VEHICLES NOT PERMITTED TO STAND OR PARK EXCEPT IN OFFICIALLY DESIGNATED STOPPING AREAS

(1) The driver of a bus, a public utility jeepney (PUJ) or any other public utility vehicle shall not stand or park such vehicle on any street within the central business district for the purpose of loading or unloading passengers at any place within any business district other than at an appropriate and officially designated stopping area, except that the Provincial Director may permit and direct the parking of said motor vehicle at places other than those officially designated area when large assemblages of people create an unusually heavy demand for mass transportation facilities.

(2) The locations designated as official stopping areas are described in Schedule XVII as herein amended and made a part of this ordinance and the Traffic Code of the Province of Cavite.

SECTION 4. OTHER VEHICLES NOT TO BE PARKED, STOPPED OR PERMITTED TO STAND IN BUS OR PUJ STOPS — No person shall stop, stand or park a vehicle, other than a bus, PUJ, or other public utility vehicle in a stopping area which has been officially designated and appropriately signed as such.

SECTION 5. EMBARKING OR DISEMBARKING FROM ANY VEHICLE AT PLACE WHERE LOADING AND UNLOADING ARE PROHIBITED

(1) It shall be unlawful for any person to embark on or disembark from any vehicle at any place where loading and unloading is prohibited.

(2) No person shall embark on or disembark from a bus or jeepney at any place along the street not officially designated as bus stop or jeepney stop, as appropriate, where there is a bus stop or jeepney stop located within 150 meters from the embarkation or disembarkation point.

(3) Any person found violating any provision of this ordinance shall be imposed the following penalties:

- (a) **FIRST OFFENSE** — P10.00 fine or attendance to a one-hour seminar;
- (b) **SECOND OFFENSE** — P20.00 fine and attendance to a one hour seminar; and
- (c) **THIRD AND SUBSEQUENT OFFENSES** — P30.00 fine and attendance to a one hour seminar.

SECTION 6. LOADING AND UNLOADING AREAS FOR CARGOES

(1) **LOADING AND UNLOADING AREA FOR CARGOES FROM OR BOUND FOR.** The designation of the loading and unloading area for cargoes coming from or bound for

(2) **VEHICLES AND PUSHCARTS TO LOAD AND UNLOAD CARGOES IN DESIGNATED AREAS.** All vehicles and pushcarts loaded or to be loaded with cargoes intended for or coming from shall unload and load the same in the designated unloading or loading area as provided for in the preceding section;

(3) **DRIVERS OF VEHICLES AND OPERATORS OF PUSHCARTS TO FOLLOW TRAFFIC RULES AND REGULATIONS.** Drivers of vehicles and operators of pushcarts desiring to unload and / or load cargoes bound for or coming from the shall follow the traffic rules and regulations and shall see to it that they shall not cause obstructions to other legitimate road users.

(4) **CONFISCATION OF DRIVER'S LICENSE, PUSHCARTS REGISTRATION AND IMPOUNDING OF VEHICLES AND PUSHCARTS.** The license of the driver of the motor vehicle that may violate any provision of this ordinance shall be confiscated after a Temporary Operator's Permit (TOP) is issued for any violation and in the case of a pushcart and other vehicle the registration paper thereof shall be confiscated by the apprehending officer after a Traffic Citation Ticket (TCT) is issued for any violation and the same shall be submitted to the Traffic Violations Bureau for disposition appropriate to the citation. In the absence of the registration papers, the vehicle and / or the pushcart shall be impounded by the Traffic Division.

(5) **PENALTY.** Any person or persons violating any provision of this ordinance shall, upon conviction thereof, be punished by an imprisonment of not less than THIRTY (30) DAYS nor more than SIXTY (60) DAYS or by a fine in the sum of not less than ONE HUNDRED (P100.00) PESOS nor more than FOUR HUNDRED (P400.00) PESOS or both such fine and imprisonment at the discretion of the court.

ARTICLE XVII STOPPING, STANDING OR PARKING RESTRICTED OR PROHIBITED ON CERTAIN STREETS

SECTION 1. TIME LIMIT PARKING WITHIN THE PROVINCE OF CAVITE — When official signs are erected giving notice thereof, no person shall stop, stand or park a vehicle for a period of time longer than the period of time indicated on such sign between the hours of 7:30 a.m. and 8:30 p.m. unless otherwise provided by law, on any day except Sundays and public holidays upon any of the streets or portions thereof within the Province of Cavite as described in Schedule XVII attached hereto and made a part hereof.

SECTION 2. VEHICLES IN LIMITED PARKING AREA TO BE MOVED FIFTY FEET — In construing the provisions of Section 1, a vehicle in a limited parking area shall be moved not less than FIFTY (50) FEET during the limited parking period or shall be deemed to have remained stationary.

SECTION 3. PARKING WITHIN PUBLIC PARKS AND PUBLIC SCHOOL GROUNDS RESTRICTED

(1) No person shall park a vehicle on any roadway within the public parks and public school grounds in such manner as to leave available less than TEN (10) FEET of the width of the roadway for the free movement of vehicular traffic.

(2) No person shall stop, park or leave standing a vehicle on any roadway within public parks and public school grounds other than parallel with the edge of the roadway heading in the direction of traffic and with the right-hand wheels of the vehicle within TWELVE (12) INCHES of the curb line or edge of the roadway except upon those roadways which have been marked or signed for angle parking, upon which roadways vehicles shall be parked at the angle to the curb indicated by such marks or signs.

(3) Whenever parking stalls for the parallel or angle parking of motor vehicles are marked off and designated on any roadway or in any parking area within public parks and public school grounds, each such parking stall shall extend in width eight (8) feet and shall extend in length approximately twenty-two (22) feet. The driver of any vehicle, excepting only single vehicles of a greater length or width, shall park such vehicle completely within the parking stall.

(4) No person shall park a vehicle on any roadway or in any parking area within public park and public school grounds for the purpose of:

- (a) Displaying such vehicle for sale;
- (b) Washing, greasing, or repairing such vehicle except minor repairs necessitated by an emergency;

(5) Whenever any roadway or parking area within public parks and public school grounds is kept open for vehicular use, no person shall park a vehicle on such roadway or in any such parking area for a period of time longer than sixty (60) minutes before the hours of 2:00 a.m. and 6:00 a.m. of any day.

(6) No vehicle shall be operated or driven off the improved or paved portion of any roadway within public parks and public school grounds, except to and from a parking area maintained therein. Disabled vehicles may be driven off the paved portion so as to prevent obstruction of traffic, until temporary repairs are made or until power is obtained or remove them.

(7) When official signs are erected giving notice thereof, no person shall, after school hours, stop, stand, or park a vehicle in any parking facility maintained on public school grounds. The parking prohibition contained herein shall not apply to a person who is, after school hours, a guest or patron of, or an invitee to a function or activity approved by the proper school administration.

SECTION 4. RESTRICTED PARKING ON EXPRESSWAYS AND HIGHWAYS

(1) No person shall park a vehicle within any off-street parking area of the national or provincial highway system during the hours of 7:00 a.m. to 7:00 p.m., subject, however, to the exceptions granted authorized emergency vehicles, pursuant to Section 5, Article IV, of this Code:

(2) No person shall park a vehicle within any such off-street parking area for a period of time longer than 120 minutes during the hour of 7:00 p.m. to 11:00 p.m.

(3) No person shall, further, park a vehicle within such off-street parking area for the purpose of:

- (a) Displaying such vehicle for sale;
- (b) Washing, greasing, or repairing such vehicle except minor repairs necessitated by an emergency.

(4) The Traffic Division of the Police Department shall install appropriate signs identifying the off-street parking areas and indicating their restricted use of parking only.

SECTION 5. RESTRICTED PARKING ON STREET IN SOME STREETS

(1) That in order to relieve traffic congestion, parking in the following streets shall not be allowed between the hours of seven o'clock ante-meridian and seven o'clock post-meridian (7:00 a.m. to 7:00 p.m.) from Monday to Saturday.

(2) Any person or persons responsible for the violation of any of the foregoing provisions shall be criminally prosecuted and upon conviction, be punished by a fine of not exceeding FIVE HUNDRED (P500.00) PESOS or imprisonment of not less than ONE (1) MONTH or both such fine and imprisonment at the discretion of the court.

(3) All other ordinances or parts thereof inconsistent with the provisions of this ordinance are hereby deemed repealed, amended and/or modified accordingly.

(4) All other ordinances or parts thereof inconsistent with the provisions of this ordinance are hereby deemed repealed, amended and/or modified accordingly.

SECTION 6. PROVINCIAL HALL OFF-STREET PARKING — It shall be unlawful for any person:

(1) Who has not been authorized by the Province of Cavite, as evidenced by a parking sticker issued by the Traffic Engineer or his representative, to park his vehicle in the unreserved parking stalls or areas on the grounds of the Provincial Hall.

(2) To park a vehicle outside of a designated parking stall or parking area laid out therein.

(3) To disregard any directions, instructions and restrictions indicated by or on official signs and markings therein on any day except Saturdays and public holidays.

SECTION 7. BUS TERMINAL LOCATION

(1) For this purpose, the Provincial Governor is hereby authorized to lease or acquire by purchase or through expropriation proceedings, two parcels of land — one for the north and the other for the south — which shall not be less than 3,000 square meters each for the establishment of the two additional PUJ, bus terminal referred to in (1), (4) and (5) of the preceding section.

(2) The ownership, management, operation and maintenance of both PUJ bus terminal as herein above-mentioned shall vest with the provincial government of Cavite unless it shall decide to bid it out to private parties or organized groups including but not limited to cooperatives, unions, and other private entities.

(3) For purposes of this ordinance, the Provincial Governor is hereby authorized to draft such rules and regulations as may be necessary for the implementation of this ordinance, PROVIDED, however, that such rules and regulations shall be subject to the approval and ratification of the Sangguniang Panglungsod before it shall become effective and enforceable.

(4) All other existing ordinances or parts thereof which are inconsistent with any provision hereof are accordingly amended and / or modified.

**ARTICLE XVIII
PEDESTRIANS' RIGHTS AND DUTIES**

SECTION 1. PEDESTRIANS SUBJECT TO TRAFFIC CONTROL SIGNALS — Pedestrians shall be subject to traffic control signals at intersections and other signalized crossings, as heretofore stated; but at all other places pedestrians shall be accorded the privileges and shall be subject to the restrictions hereinafter stated.

SECTION 2. VEHICLES TO YIELD RIGHT-OF-WAY TO PEDESTRIANS IN CROSSWALK

(1) When traffic control signal are not in place or not in operation and traffic is not being directed by a police officer, the driver of a vehicle shall yield the right-of-way, slowing down or stopping if necessary in order to so yield, to a pedestrian crossing the roadway within any marked or unmarked crosswalk when the pedestrian is upon the half of the roadway upon which the vehicle is traveling, or is approaching so closely from the opposite half of the roadway as to be in danger.

(2) When traffic control signals are in operation, the driver of a vehicle turning or intending to turn right or left shall likewise yield the right-of-way to pedestrians lawfully within the crosswalk.

(3) Whenever any vehicle is stopped to so yield the right-of-way to a pedestrian, the driver of any other vehicle approaching from the rear shall not overtake or attempt to pass such stopped vehicle.

SECTION 3. ADDITIONAL MARKED CROSSWALKS ESTABLISHED — In addition to marked crosswalk heretofore established, marked crosswalk are hereby established at the locations described in Schedule XIX attached hereto and made a part hereof.

SECTION 4. PEDESTRIANS TO YIELD RIGHT-OF-WAY TO VEHICLES

(1) Pedestrians crossing a roadway at any point other than within a marked or unmarked crosswalk shall yield the right-of-way to all vehicles upon the roadway, and in no event shall pedestrians cross a roadway at any point where forbidden to do so by traffic signs.

(2) Pedestrians crossing a roadway at a point where a pedestrian tunnel or overhead crossing has been provided shall yield the right-of-way to all vehicles upon the roadway.

SECTION 5. RESTRICTIONS ON PEDESTRIANS CROSSING ROADWAYS

(1) No pedestrian shall enter any marked or unmarked crosswalk or part thereof when vehicular traffic is so close to them as to constitute an immediate hazard, nor shall any pedestrian enter any unmarked crosswalk where traffic signs forbid such entry.

(2) No pedestrian shall cross any roadway within any business district except within a marked or unmarked crosswalk, nor any roadway in any residence district within 200 feet of any intersection except within a marked or unmarked crosswalk at such intersection.

(3) Pedestrians shall move, whenever practicable, upon the right half of crosswalks.

(4) No person shall enter upon or cross any roadway or portion of any roadway designated by the Council as closed to pedestrian traffic, except within an authorized marked crosswalk, or upon a pedestrian overpass, or through a pedestrian tunnel.

The Sangguniang Panlalawigan shall from time to time determine the roadways or portions of roadways that are to be closed to pedestrian traffic.

SECTION 6. BLIND AND CRIPPED PEDESTRIANS' RIGHT-OF-WAY — Except at intersections where the movement of traffic is being regulated by police officers, the driver of a vehicle shall come to a stop and take such precautions as may be necessary before proceeding so as to avoid injury to a crippled pedestrian using crutches, or to a blind or partially blind pedestrian carrying in full view a cane, white in color or white with red ends, or accompanied by a seeing eye dog, and blowing continually a whistle similar to the type or whistle used by traffic officers. The failure of any such blind pedestrian to signal shall not deprive him of the right-of-way accorded to him by other provisions in this Code.

SECTION 7. PEDESTRIANS WALKING ALONG ROADWAYS

(1) Where sidewalks are provided, it shall be unlawful for any pedestrian to walk along and upon an adjacent roadway.

(2) Where sidewalks are not provided, any pedestrian walking along and upon a roadway shall, when practicable walk only on the left side of the roadway or its shoulder facing traffic which may approach from the opposite direction.

(3) No person shall stand on, walk along, or otherwise occupy any portion of a public street or highway, including the shoulder or sidewalk area, for the purpose of soliciting a free ride (hitch-hiking) from the driver of any vehicle.

SECTION 8. DRIVERS TO EXERCISE DUE CARE — Notwithstanding the foregoing provisions, every driver of a vehicle shall exercise due care to avoid colliding with any pedestrian upon any roadway and shall give warning by sounding the horn when necessary and shall exercise proper precaution upon observing any child or confused or incapacitated person upon a roadway.

SECTION 9. RESTRICTIONS ON EXPRESSWAYS

(1) The Sangguniang Panlalawigan may, by ordinance, with respect to expressways or designated portions thereof under this jurisdiction, to which all rights of access have been acquired, prohibit or restrict the use of such freeways or any portion thereof by pedestrians, bicycles or other non-motorized traffic or by any person operating a motor-driven cycle.

(2) Such prohibitory regulations shall be effective when appropriate signs giving notice thereof are erected upon any said expressway and the approaches thereto.

SECTION 10. SITTING, STANDING OR WALKING ON RAILINGS OF HIGHWAY BRIDGES OR OVERPASSES — No person shall sit, stand or walk, or aid or assist any other person to sit, stand or walk upon the railing of any highway bridge or overpass in the Province and suburbs.

SECTION 11. JAYWALKING

(1) This ordinance shall be known as "ANTI-JAYWALKING ORDINANCE OF CAVITE."

(2) For the purpose of this ordinance, there shall be established in the main streets or street intersections of the Province of Cavite pedestrian lanes solely intended as passageway for pedestrians.

(3) It shall be unlawful for any person to cross any main street intersections provided with a pedestrian lane without following the same and without strictly observing the traffic rules and regulations for the same in the Province of Cavite.

The prohibition mentioned in the preceding paragraph shall also apply to any person crossing any main street provided with a pedestrian lane without following the same regardless of his distance between him and the designated pedestrian lane.

(4) "Main Street" is any wide and continuous street as distinguished from an alley and a narrow traversing street; "intersection" includes every part of a public highway which joins another at an angle, whether or not it crosses the other; and "pedestrian lane" is any strip of roadway solely intended as passageway for pedestrians which is either bounded by two parallel lines drawn from one side to the other side of the street or indicated with short dash-lines from one side to the other side of the street.

(5) It shall be prohibited for any vehicle, whether motor or animal-driven, to stop right on the pathway of the pedestrian lane, thereby obstructing the free traffic of pedestrians along the same.

(6) Any person violating any provision of this ordinance shall, upon conviction therefore, be punished with a fine of not less than TWENTY (P20.00) PESOS and not more than FIVE HUNDRED (P500.00) PESOS or with an imprisonment of ONE (1) DAY for each offense being committed or both such fine and imprisonment at the discretion of the court; PROVIDED, however, that those violators who opt not to be prosecuted in court and voluntarily agree to pay a fine, shall be imposed a compromise penalty of TWENTY (P20.00) PESOS or in the alternative, renders civic action service

for a period of THREE (3) HOURS.

(7) All other ordinances in conflict with this ordinance or any provisions thereof shall be deemed to have been repealed and/or modified accordingly.

SECTION 12. ALL PERSON TO FALL IN LINE IN DESIGNATED BOARDING PLACES

(1) Persons intending to take jeepney or bus rides within the Province of Cavite are hereby required to fall in line at boarding places as may be designated by the Traffic Management Bureau. In this regard, said office in coordination with CPTOM, is hereby directed to design the appropriate railings and signage necessary for the smooth and effective implementation of this ordinance.

(2) EXCEPTIONS. The first person in line shall be the first to board the vehicle except the following who, at their option, shall be given first priority:

- (a) Senior Citizens;
- (b) Disabled Passengers; and
- (c) Any person carrying an infant.

(3) DEFINITION OF TERMS. The exceptions mentioned in the immediately preceding section shall exclusively refer to the following:

- (a) Senior Citizens — sixty (60) years old and above with proper identification cards;
- (b) Disabled Passengers — those who are crippled and / or totally blind with one (1) escort, if accompanied; and
- (c) Any person carrying an infant — shall pertain exclusively to the person and the infant s/he is carrying who has not yet learned how to walk.

(4) PENALTY CLAUSE. Any person found violating any of the provisions of this Ordinance shall, upon conviction, be fine P200.00 or imprisonment of one day for the first offense; P300.00 or imprisonment for two days for the next and succeeding offenses, at the discretion of the court. Should the person arrested for violating this ordinance opt to forego court trial and admit his guilt, he may pay an administrative fine of P20.00.

(5) SEPARABILITY CLAUSE. Should any portion of this ordinance be declared unconstitutional or illegal by any court of competent jurisdiction, this portion not so declared shall remain in full force and effect.

SECTION 13. CONVENIENCE FOR DISABLED PERSON

(1) MOTOR VEHICLES COVERED

- (a) Private motor vehicles, duly accredited for the purpose as herein below provided, conveying passengers with disability shall be allowed to stop, park, stand or wait on any portion along the proper side of two-way traffic street, and on either side of one-way traffic street whether the same is a no parking, no stopping and / or no standing zone or not, for a maximum period of two (2) hours.
- (b) Registered owners of private motor vehicles that shall be used or intended for use of persons with disability shall apply for accreditation with the CPTOM which is hereby given the authority to prescribe the requirements for such accreditation.
- (c) Once accredited, CPTOM shall issue a logo which shall be prominently posted on the supervisor of the motor vehicle indicating that it is being used to transport a person or persons with disability.

(2) Disabled Person Defined — A disabled person for the purpose of this ordinance may be classified into those who have:

- (a) Impairments requiring confinement to wheelchairs;
- (b) Impairments causing difficulty or insecurity in walking or requiring the use of braces, crutches or other artificial support; or impairments caused by amputation, arthritis, spastic conditions, pulmonary cardiac or other illness rendering individuals semi-ambulatory;
- (c) Total or partial impairments of hearing or sight causing insecurity or likelihood of exposure to danger in public places;
- (d) Impairments due to conditions of aging and in coordination;
- (e) Mental impairments whether acquired or congenital in nature; and
- (f) Such other persons as may be validated by CPTOM upon recommendation of the Provincial Welfare Official.

(3) **PENALTY.** Misuse or abuse of the privilege given to an accredited motor vehicle such as when it is not actually used to convey such person with disability — and, parked or standing in a no parking or no standing zone — shall subject the driver and the registered owner thereof to an imprisonment of not less than ONE (1) MONTH but not more than THREE (3) MONTHS or a fine of not less than FIVE HUNDRED (P500.00) PESOS but not more than ONE THOUSAND (P1,000.00) PESOS or both such fine and imprisonment at the discretion of the court; PROVIDED, however, that the Treasurer of the Province of Cavite or his duly authorized representative shall be allowed to collect a compromise penalty of THREE HUNDRED (P300.00) PESOS in case any violator opts to pay the compromise penalty, so that he / she shall no longer be prosecuted before the court; PROVIDED, however, that the accreditation of such private vehicle shall be canceled henceforth.

(4) **SEPARABILITY CLAUSE.** If for any reason or reasons, any part or provision of this ordinance is held to be unconstitutional or invalid by any court of competent jurisdiction, other parts or portions hereof which are not affected thereby shall continue to be in full force and effect.

**ARTICLE IX
OPERATION OF ANIMAL-DRIVEN CARRIAGES,
BICYCLES AND PLAY VEHICLES**

SECTION 1. EFFECT OF REGULATIONS

(1) It is misdemeanor for any person to do any act forbidden or fail to perform any act required in this Article.

(2) The parent of any child and the guardian of any ward shall not authorize or knowingly permit any such child or ward to violate any of the provisions of this Article.

(3) The regulations applicable to animal-driven carriages or bicycles shall apply whenever an animal-driven carriage or bicycle is operated upon any roadway or upon any path set aside for the exclusive use of such carriages or bicycles.

SECTION 2. LICENSE REQUIRED — No person, who resides within the Province, shall operate, ride or propel an animal-driven carriage or bicycle on any street, highway, alley roadway, sidewalk or upon any public path set aside for the exclusive use of such carriages or bicycles unless such bicycle has been licensed and a license plate 2" x 3" in size is affixed thereto as provided herein.

SECTION 3. ATTACHMENT OF LICENSE PLATE — The license plate shall be firmly attached to the rear of the animal-driven carriage or rear midguard or frame of the bicycle for which it is used in such position as to be plainly visible from the rear.

SECTION 4. TRAFFIC LAWS APPLICABLE TO PERSONS RIDING BICYCLES — The provisions of this Traffic Code granting right to and imposing duties upon a driver of a vehicle shall apply to every person riding a bicycle or driving an animal-driven carriage upon a roadway, save those provisions which by their very nature can have no application.

SECTION 5. OBEDIENCE TO TRAFFIC CONTROL DEVICES

(1) Every person operating a bicycle or driving an animal-driven carriage shall obey the instructions of official traffic control signals, signs, and other control devices applicable to vehicles, unless otherwise directed by a police officer or any other persons authorized to direct, control, or regulate traffic.

(2) Whenever authorized signs are erected indicating that no right or left turn or "U" turn is permitted, no person operating a bicycle or animal-driven carriage shall disobey the direction of any such sign except where such person dismounts from the bicycle to make any such turn, in which event such person shall then obey the regulations applicable to pedestrians.

SECTION 6. RIDING ON BICYCLES

(1) A person propelling a bicycle shall not ride other than upon or astride a permanent and regular seat attached thereto.

(2) No bicycle shall be used to carry more persons at one time than the number for which it is designed and equipped.

SECTION 7. CLINGING TO MOVING VEHICLES — No person riding upon any bicycle, motor scooter, coaster, roller skates, or any toy vehicle shall attach the same or himself to any moving vehicle upon any roadway.

SECTION 8. RIDING ON ROADWAYS AND BICYCLE PATHS

(1) Every person operating a bicycle or driving an animal-driven carriage upon a roadway shall ride as near to the right side of the roadway as practicable, exercising due care when passing a standing vehicle or one proceeding in the same direction.

(2) Persons riding bicycles upon a roadway shall not ride more than two abreast except on paths or parts of roadways set aside for the exclusive use of bicycles.

(3) Whenever a usable path for bicycles has been provided adjacent to a roadway, bicycle riders shall use such paths and shall not use the roadway.

(4) There shall be marked clearly on all 20-meter wide streets in the Province of Cavite, a 2-meter wide "Bicycle Lane" at both sides of the street. These "Bicycle Lanes" shall be for the exclusive use of cyclists and should not be obstructed or used by any other vehicles.

(5) Cyclists or person operating a bicycle must be the "Bicycle Lanes" so provided on streets that are 20 meters wide.

(6) Motor vehicles, motorcycles and other motor-driven vehicles are not allowed to pass along "Bicycle Lanes". Stopping, loading and unloading may be allowed in specific areas but due care should be exercised by them so far as not to prejudice the cyclists.

SECTION 9. SPEED — No person shall operate or drive a bicycle or animal-drawn carriage at a speed greater than is reasonable and prudent under the conditions then existing.

SECTION 10. EMERGING FROM ALLEY OR DRIVEWAY — The operator of a bicycle emerging from an alley, driveway or building shall upon approaching a sidewalk or the sidewalk area extending across said alley, driveway or building, yield the right-of-way to all pedestrians approaching on side sidewalk or sidewalk area, and upon entering the roadway shall yield the right-of-way to all vehicles approaching on said roadway.

SECTION 11. CARRYING ARTICLES — No person operating a bicycle shall carry any packages, bundle, or article which prevents him from keeping at least one hand upon the handle bars.

SECTION 12. PARKING — No person shall park a bicycle upon a street other than upon the roadway against the curb or upon the sidewalk in a rack to support the bicycle or against a building and in such manner as to afford the least obstruction to pedestrian traffic.

SECTION 13. RIDING ON SIDEWALKS

(1) No person shall ride a bicycle upon a sidewalk within a business district.

(2) The Traffic Engineer is hereby authorized to erect official signs on any sidewalk or roadway prohibiting the riding of bicycles thereon by any person and when such signs are in place no person shall disobey the same.

(3) Whenever any person is riding a bicycle upon a sidewalk, such person shall yield the right-of-way to any pedestrian and shall give an audible signal before overtaking and passing such pedestrian.

SECTION 14. WARNING DEVICES — No person shall operate a bicycle or horse-drawn carriage unless it is equipped with a bell or other devices capable of giving a signal audible for a distance of at least 100 feet, except that a bicycle or horse-drawn carriage shall not be equipped with nor shall any person use upon a bicycle or horse-drawn carriage any siren or whistle.

SECTION 15. BRAKES ON BICYCLES — Every bicycle shall be equipped with a brake, which will enable the operator to make the braked wheel skid on dry, level, clean pavement.

SECTION 16. LAMPS ON BICYCLES AND HORSE-DRAWN CARRIAGES — Every bicycle or horse-drawn carriage when in use at night shall be equipped with a lamp on the front which shall emit a white light from a distance of at least 200 feet to the front and with a rear red reflex mirror or lamp visible for a distance of 200 feet to the rear.

SECTION 17. PEDAL OPERATED TRICYCLES

(1) **CLASSIFICATION OF PEDAL-OPERATED TRICYCLE.** Pedal-operated tricycle shall be classified as for hire, commercial use and owner-driven;

(2) **DEFINITION OF TERMS.**

- (a) Pedal-operated tricycle is a vehicle having three (3) wheels and operated by means of a pedal to include bicycle with side car;
- (b) Pedal-operated tricycle for hire is being used or intended to be used in transporting goods for a fee;
- (c) Pedal-operated tricycle for commercial use is being used to transport commercial goods for its owner for delivery to customers;
- (d) Pedal-operated tricycle owner-driven is being used by its owner for transport of his own goods.

(3) **REGISTRATION**

- (a) No person shall operate a tricycle unless the same is registered with the Traffic Violations Bureau, Cavite;
- (b) Registration of pedal-operated tricycles shall be done annually every January and February;
- (c) Newly acquired tricycles shall be registered within 30 days from date of acquisition;

(d) Failure to register within the period specified above shall be liable to a 50% surcharge.

(4) **REGISTRATION FEES.** The annual rate of registration fees, exclusive of registration plates which shall be issued at cost, shall be as follows:

(a) Tricycles for Hire	P100.00
(b) Tricycles for Commercial Use	P100.00
(c) Tricycle owner-driven	P 50.00

Payment of registration fees shall be made to the Provincial Treasurer's Office which shall issue the corresponding official receipt and registration plate for the current year;

Insurance with a time coverage of one year for property damage and physical injuries shall be required upon registration of Pedal-Operated Tricycle.

(5) **LIMITATION OF OPERATION**

(a) Pedal-Operated Tricycle for hire shall not be allowed to operate in the streets designated as "off limits" for them by the Chief, Traffic Division, thru the Traffic Violation Bureau, for the operation upon registration.

(b) That tricycle for hire shall not be allowed to carry passengers.

(6) **DISPLAY OF PLATE NUMBER AND CARRYING OF PHOTOCOPY OF REGISTRATION.** The registration plate number of a tricycle shall be prominently displayed at the rear portion of the tricycle clearly visible at a distance of (50) ft. and the driver or operator shall always carry with him a photocopy of the registration paper.

(7) **COMPLIANCE WITH ALL TRAFFIC RULES AND REGULATIONS.** The driver or operator of a tricycle shall at all times comply with the traffic rules and regulations while operating;

(8) **LAMPS ON TRICYCLES.** Every tricycle when used at night shall be equipped with a lamp on the front which shall emit a white light from a distance of at least 200 ft. to the front and with a rear reflex mirror or reflectorized tape visible for a distance of 200 ft. to the rear.

(9) **LIMITATION AS TO NUMBER OF TRICYCLE FOR HIRE.** The number of tricycle for hire shall not exceed 100 units.

(10) **WARNING.** No person shall operate a tricycle unless it is equipped with a bell or other device capable of giving a signal for a distance of at least 100 ft. except a siren or whistle;

(11) **PENAL CLAUSE.** The following administrative penalties shall be imposed on the driver or owner of a tricycle (trisikad) for any violation indicated as follows:

No Registration	P 250.00
No Plate Number	P 200.00
No Lamp or rear or red reflectorized mirror or tape	P 200.00
Operating in non-designated areas	P 1,000.00
Failure to comply with registration papers	P 50.00

Pedal-operated tricycle operating in violation of any provision of this ordinance and other traffic-related ordinances shall be impounded and can be released only upon payment of the administrative fine of P1,000.00. Failure to redeem it within TEN (10) DAYS from confiscation will cause its forfeiture in favor of the government; PROVIDED, that a written notice of forfeiture shall have first been served to the owner of the former having the right to dispose of it in any manner it may deem fit and legal.

Any pedal-operated tricycle (trisikad) previously confiscated shall be deemed forfeited in favor of the government for its disposal in any manner it may deem fit and legal, TEN (10) DAYS after the publication in any newspaper of general circulation in the Province of Cavite of the Notice of Forfeiture; PROVIDED, however, that the owner or operator of the said confiscated tricycle (trisikad) fail to pay the necessary administrative fine within the said ten-day period.

(12) **REPEALING CLAUSE.** Any ordinances or parts thereof which are inconsistent with this ordinance are hereby deemed amended, repealed and / or modified accordingly.

**ARTICLE XX
EQUIPMENT**

SECTION 1. SCOPE AND EFFECT OF REGULATIONS

(1) It is a misdemeanor for any person to drive or move or for the registered owner to cause or

knowingly permit to be driven or moved on any highway any vehicle or combination of vehicles which is in such unsafe condition as to endanger any person, or which does not contain those parts or is not at all times equipped with such lamps and other equipment in proper condition and adjustment as required in this Article, or for any person to do any act forbidden or fail to perform any act required under this Act.

(2) Nothing contained in this Article shall be construed to prohibit the use of additional parts and accessories on any vehicle not inconsistent with the provisions of this Article.

(3) The provisions of this Article with respect to equipment on vehicles shall not apply to implements of husbandry, road machinery, road rollers, or farm tractors, except as herein made applicable.

SECTION 2. WHEN LIGHTED LAMPS ARE REQUIRED— Every vehicle upon a highway at any time from a half-hour after sunset to a half-hour before sunrise and at any other time when there is insufficient light to render clearly discernible persons and vehicles on the highway at a distance of 200 feet ahead shall display light lamps and illuminating devices as hereinafter respectively required for different classes of vehicles, subject to exceptions with respect to parked vehicles as hereinafter stated.

SECTION 3. NEW MOTOR VEHICLES TO BE EQUIPPED WITH REFLECTORS.

(1) Every new motor vehicle hereafter sold and operated upon a highway other than a truck tractor shall carry on the rear, either as part of the tail lamps or separately, two red reflectors meeting the requirements hereinafter set forth, except that vehicles of the type mentioned in Section 5, shall be equipped with reflectors as required therein.

(2) Every such reflector shall be mounted on the motor vehicle at a height not less than 24 inches nor more than 60 inches above the ground on which the vehicle stands and shall be of such size and characteristics and so maintained as to be visible at night from all distances within 300 feet to 50 feet from such vehicle, except that visibility from a greater distance is hereinafter required to reflectors on certain types of vehicles.

SECTION 4. APPLICATION OF SUCCEEDING SECTION— The sections immediately following relating to clearance and marker lamps, reflectors, and stop lights shall apply as stated in said sections to vehicles of the type therein enumerated, and said vehicles when operated upon any highway, shall be equipped as required and all lamp equipments required shall be lighted from thirty (30) minutes after sunset until thirty (30) minutes before sunrise, except that clearance and side marker lamps need not be lighted on any such vehicles when operated in the province where there is sufficient light to render clearly discernible persons and vehicles on the highway at a distance of 500 feet.

SECTION 5. ADDITIONAL EQUIPMENT REQUIRED ON CERTAIN VEHICLES— In addition to other equipment required in this Article, the following vehicles shall be equipped as herein stated under the conditions stated in Section 4:

(1) On every bus or truck whatever its size, there shall be the following: on the rear, two reflectors, one at each side, and one stop light.

(2) On every bus or truck 80 inches or more in overall width in addition to the requirements in subsection (1):

- (a) On the front, two (2) clearance lamps, one at each side.
- (b) On the rear, two (2) clearance lamps, one at each side.
- (c) On each side, two (2) reflectors, one at or near the front and one at or near the rear.
- (d) On each side, two (2) marker lamps, one at or near the front and one at or near the rear.

(3) On every truck tractor:

- (a) On the front, two (2) clearance lamps, one at each side.
- (b) On the rear, one stop light.
- (c) All such trucks which are not used for night work are hereby exempted from these requirements, and the Provincial Director is hereby authorized to issue restricted stickers for the prohibition of all such trucks from use during the hours of darkness.

(4) On every trailer or semi-trailer having a gross weight in excess of 3,000 pounds:

- (a) On the front, two (2) clearance lamps, one at side.
- (b) On each side, two (2) side marker lamps, one at or near the front and one at or near the rear.
- (c) On each side, two (2) reflectors, one at or near the front and one at or near the rear.
- (d) On the rear, two (2) clearance lamps, one at each side, also two (2) reflectors, one at