



Republic of the Philippines
Tanggapan ng Sangguniang Panlungsod
City of Naga



ORDINANCE NO. 2005-003

AN ORDINANCE FURTHER ENSURING ROAD SAFETY AND PROTECTION PARTICULARLY TO CHILDREN/MINORS BY MANDATING ADDITIONAL ROAD-SAFETY MEASURES, PROHIBITING THE “KABIT”, “SABIT”, OR “TOP LOAD” BOARDING OF BUSES, JEEPNEYS, TRIMOBILES, AND OTHER MEANS OF TRANSPORTATION WITHIN THE TERRITORIAL JURISDICTION OF THE CITY OF NAGA, PROVIDING PENALTIES FOR VIOLATIONS THEREOF, AND FOR OTHER PURPOSES:-

Author: Hon. Mila S.D. Raquid-Arroyo

Be it enacted and ordained by the Sangguniang Panlungsod of Naga, that:

SECTION 1. TITLE – This Ordinance shall be known as the **Road Discipline and Safety Ordinance** of the City of Naga.

SECTION 2. PURPOSE – The purpose of this ordinance is to impress upon the public, particularly motorists, that the observance of traffic laws and rules on road courtesy and discipline is a paramount duty taken on by them the moment they sit behind the wheels, especially when the purpose thereof is to serve the convenience of the public as operator/driver of public utility vehicles.

SECTION 3. MANDATORY ROAD SAFETY MEASURES – In the implementation of the purposes for which this Ordinance is enacted, the following are hereby declared as mandatory road safety measures:

3.1 Pedestrian Safety

- 3.1.a It is the duty of the City Engineer to ensure that all areas declared and duly designated as pedestrian crossing shall be duly marked with the white pedestrian stripes clearly visible anytime of the day or night;
- 3.1.b No pedestrian shall cross roads or streets except on crossing lanes or areas duly designated and marked as pedestrian crossing;
- 3.1.c Pedestrian shall walk only on sidewalks or the road shoulders, and, when accompanying a child or minor, ensure that the child/minor take the inner portion of the sidewalk and keep them on short leash as a measure of protection;
- 3.1.d All motorists, public and private alike, must strictly observe the rule on primacy of pedestrian safety and must, therefore, at all times give way and come to a full stop when pedestrians are crossing the pedestrian lanes and proceed only after the pedestrians have passed/crossed their path;

3.1.e Traffic aid/personnel shall, in his/her area/section of assignment, assist children, elderly, and persons with disabilities in crossing the pedestrian lanes and ensure their safety thereat.

3.2. Safety in loading and unloading of passengers:

3.2.a It is the duty of the City Engineer to ensure that all areas or points designated for loading and unloading of passengers shall be duly marked with the "Loading/Unloading" signs clearly visible at any time of the day or night;

3.2.b All motorists shall load or unload passengers only at areas or points designated and marked as loading/unloading area;

3.2.c When loading or unloading passengers, drivers shall come to a full stop right beside the sidewalk gutter or the road shoulder, ensuring that the motorists/vehicles on his/her lane could pass unimpeded by him/her;

3.2.d When loading or unloading, passengers shall wait until the vehicle has come to a full stop on the road shoulder before climbing up in or alighting therefrom. In the same manner, drivers shall wait until the boarding passenger has taken seat, or those getting off have fully alighted, before driving off;

3.2.e As a measure of special protection to children/minors aboard public utility buses and jeepneys, the drivers thereof shall strictly:

3.2.e.1 Prevent any person, especially children/minors from boarding the vehicle as a "sabit", "kabit", or "top load" passenger. For the purpose of this Ordinance, "sabit", "kabit", or "top load" passenger refer to passenger who are aboard the roof of the vehicle or hanging on the outside front, back, or side portion thereof.

3.2.e.2 Ensure that children and minors aboard the vehicle are seated inside the vehicle and are far away from the door. Adult passengers shall make room for children/minors to enable them to sit at the middle inside portion of the vehicle.

3.2.e.3 Passengers accompanying children below four (4) years old shall have the option to let their ward sit on the vehicle seat or on their lap. Drivers/operators of public utility vehicles shall at no time prevent children below four (4) years old, who are therefore non-paying passengers, from taking the vehicle seat nor require their adult company to sit them on their lap for the mere purpose of accommodating more paying passengers.

3.3. Duty to Admit/Convey Passengers. To effectively carry out its mandate of serving public convenience, and to curtail the practice of choosing passengers with short destinations and refusing those with farther ones, it is herein declared illegal for any driver of a public utility vehicle to refuse boarding of any person flagging off to board if the destination is within its authorized route and when such additional passenger could

still be legally accommodated in accordance with the approved passenger capacity of the vehicle; provided, however, that when, as appears under the circumstances, the person flagging off to board could pose danger to or undermine the safety of life or limb of the driver or passengers already on board, in which case, the driver may refuse to board him/her.

For the purpose of this Section, the operators of public utility vehicles shall cause the posting at conspicuous areas/points of the vehicle all necessary reminders to inform passengers of the provisions hereof.

SECTION 4. PENALTIES – To ensure compliance with the provisions of this Ordinance, the following penalties shall be imposed for violations thereof, except for jaywalking the penalty for which is already provided under Section 147 of Ordinance No. 93-049:

First Offense:	Fine of P 50.00
Second Offense:	Fine of P100.00
Third Offense :	Fine of P500.00
Fourth Offense:	Imprisonment of not less thirty days but not more than 3 months
Fifth Offense :	Cancellation of Franchise/ permit/license

SECTION 5. IMPLEMENTING MECHANISM – To achieve the intents and purposes of this Ordinance and to effectively carry out its provisions, the Naga City Transport and Traffic Management Office (T&TMO) shall be vigilant in the enforcement hereof. The Naga City People's Council is hereby encouraged to conduct the necessary public education/information campaign on the provisions of this ordinance and to put up the necessary mechanism such as a public complaint and action center to assist implementation and enforcement of all transport-and traffic-laws or regulations.

SECTION 6. EFFECTIVITY – This Ordinance shall take effect fifteen (15) days from publication thereof in a newspaper of general circulation in Naga City.

ENACTED: January 17, 2005.

WE HEREBY CERTIFY to the correctness of the foregoing ordinance.

(Sgd.) FIEL L. ROSALES
Secretary to the
Sangguniang Panlungsod

(Sgd.) GABRIEL H. BORDADO, JR.
City Vice Mayor & Presiding Officer

APPROVED:

(Sgd.) JESSE M. ROBREDO
City Mayor