

REPUBLIC OF THE PHILIPPINES

DEPARTMENT OF TRANSPORTATION  
DEPARTMENT OF PUBLIC WORKS AND HIGHWAYS  
DEPARTMENT OF INTERIOR AND LOCAL GOVERNMENT

JOINT MEMORANDUM CIRCULAR NO. 2018-001

Date: [ 17 ] January 2018

For: Provincial Governors, City Mayors, Municipal Mayors, Presiding Officers and Members of the Sangguniang Panlalawigan/ Panlungsod/ Pambayan, Provincial/City/Municipal Local Government Operations Officers, Regional Directors of the Department of Transportation, Land Transportation Office, Department of Public Works and Highways and the Department of the Interior and Local Government, and All Others Concerned

Subject: **Guidelines and Standards for the Classification of Roads, Setting of Speed Limits Under Republic Act No. 4136, and Collection of Road Crash Data**

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**I. Declaration of Policy**

The occurrence of road crash fatalities and injuries is a serious public health issue that must be addressed globally, as an estimated 1.2 million die and over 50 million are injured in road crashes across the world every year. In the Philippines, the number of road crashes has been rising steadily from 12,875 in 2013 to 32,269 in 2016 based on data from the Philippine National Police. According to the most recent available data from the Philippine Statistics Authority, the number of deaths attributable to road crashes has also been rising, from 8,023 in 2011 to 8,761 in 2013.

Speeding is the most important contributor to road fatalities and is at the core of the road injury problem as it influences both crash risk and crash severity. The setting and strong enforcement of speed limits is one of the most effective interventions in significantly reducing road crashes and road crash fatalities and injuries. However, in the Philippines, the level of speed limit enforcement is very low.

The participation of local government units is vital in improving the level of speed limit enforcement in the Philippines. Sections 35 and 38 of Republic Act No. 4136 (RA 4136) or the Land Transportation and Traffic Code prescribes the maximum allowable speed for specific road classes and motor vehicles, and mandates local government units (LGUs) to classify roads within their jurisdiction for traffic purposes. Under Sections 447 (a)(5)(vi) and 458 (a)(5)(vi) of Republic Act No. 7160 (RA 7160) or the Local Government Code, City and Municipal Governments have the power to regulate traffic in all streets and bridges within their territorial boundaries,

and to enact measures that will enhance public health, safety, convenience, maintain peace and order, and promote the general welfare of their inhabitants.

However, many City and Municipal Governments in the Philippines have not yet classified roads within their jurisdiction or set local speed limits pursuant to their mandate under RA 4136 and the Local Government Code. There is, thus, a compelling need for City and Municipal Governments to issue speed limit ordinances. Further, there is a need to harmonize the road classifications under RA 4136 and the existing road classification by the Department of Public Works and Highways (DPWH) under DPWH Memorandum dated 14 April 2014 in order to inform the public of the applicable speed limits on all roads.

The collaboration between LGUs and relevant national government agencies is vital in order to improve speed limit enforcement in the Philippines and, ultimately, curb the rising number of road crashes in the Philippines. Additionally, the timely and comprehensive collection of reliable data is crucial in improving road safety policy-making, and in monitoring and evaluating the impact of this Joint Memorandum Circular and other road safety policies. The DOTr, the Land Transportation Office (LTO), the DPWH, and the Department of the Interior and Local Government (DILG) have thus agreed to collaborate in order to improve the level of speed limit enforcement and road crash data collection in the Philippines.

## **II. Guidelines and Standards**

In view of the supervisory powers of the DILG over LGUs and pursuant to RA 4136 and the rules and regulations issued by the DOTr and DPWH, all City, Municipal and Provincial Governments are enjoined to adopt and observe the following standards and guidelines in the formulation of ordinances and related issuances on road classification and speed limit enforcement.

### **A. National Roads**

#### **1. Classification of National Roads**

Unless otherwise provided by law, rules, and regulations issued by the DOTr, or by an ordinance duly enacted by a City or Municipal Government subject to Section II. A (2) herein, the speed limits to be enforced on National Roads passing through all LGUs shall follow the recommended design speed under Volume IV of the 2015 DPWH Design Guidelines, Criteria and Standards provided hereunder, or such speed limits already indicated on speed limit signs installed by the DPWH along National Roads, provided that, such recommended design speed or speed limits indicated on speed limit signs shall not exceed the maximum allowable speed limits under Section 35 of RA 4136:

<b>Recommended Design Speed under DPWH Design, Guidelines, Standards and Criteria, Volume IV (2015 edition)</b>	
<b>National Primary</b>	
Flat Topography	80 kph
Rolling Topography	60 kph
Mountainous Topography	50 kph
<b>National Secondary</b>	
Flat Topography	70 kph
Rolling Topography	60 kph
Mountainous Topography	40 kph

<b>Road Classification under RA 4136</b>	<b>Maximum Allowable Speed Under RA 4136</b>	
	Passenger Cars, Motorcycles and similar vehicles	Motor Trucks, Buses and similar vehicles
Open Road	80 kph	50 kph
Through Street	40 kph	30 kph
Crowded Street	20 kph	20 kph
	As set by the Toll Regulatory Board	

## **2. Speed Limit Ordinances Affecting National Roads**

- a. As a general rule, the DPWH shall set speed limits for National Roads based on the function, design and actual conditions of the road, subject to the approval of the DOTr, for purposes of speed limit enforcement. For purposes of enforcement, the DOTr shall inform the LTO and the relevant Sangguniang Bayan or Sangguniang Panlungsod of the speed limits set on roads within its jurisdiction. The relevant Sangguniang Panlungsod or Sangguniang Bayan may enact a speed limit ordinance for purposes of local enforcement.
- b. When necessary for the safety of road users, the City or Municipal Government may propose speed limits for National Roads lower than those provided in Section II. A (1) herein, to the appropriate LTO Regional Office and DPWH Regional Office for review and approval, prior to the enactment of a speed limit ordinance.
- c. All City and Municipal Governments with existing speed limit ordinances affecting National Roads shall submit said ordinances to the appropriate LTO Regional Office and DPWH Regional Office for review, to determine the appropriateness of the speed limits set for National Roads. When necessary, the Regional Director of the LTO or the DPWH covering the city or municipality shall coordinate with the Sangguniang Bayan or Panlungsod on any amendments needed to ensure that the speed limit as set are safe and complies with RA 4136.

For purposes of this Joint Memorandum Circular, “speed limit ordinances” shall include any and all issuances by the local legislative body and/or the local chief executive classifying local roads, imposing applicable speed limits or implementing the provisions on speed restrictions under RA 4136, and other related laws.

## **B. Provincial Roads**

### **1. Classification of Provincial Roads**

- a. For purposes of identifying applicable speed limits in accordance with RA 4136, Provincial Roads under DPWH Memorandum dated 14 April 2014 shall be classified as follows:

<b>Road Classification under DPWH Memorandum dated 14 April 2014</b>	<b>Road Classification under RA 4136</b>	<b>Maximum Allowable Speed</b>	
		Passenger Cars, Motorcycles, and similar vehicles	Motor Trucks, Buses, and similar vehicles
Provincial Roads	Open Road	40 kph	30 kph
	Through Street	40 kph	30 kph
	Crowded Street	20 kph	20 kph

- b. Unless otherwise provided by law, rules, and regulations issued by the DOTr, or by an issuance by the Provincial Government, subject to Section II. B (2) herein, the speed limits to be enforced on Provincial Roads passing through all cities and municipalities shall be those provided in this Section.

### **2. Speed Limit Ordinances Affecting Provincial Roads**

- a. When necessary for the safety of road users, the City or Municipal Government may propose speed limits for Provincial Roads constructed and/or maintained by the Provincial Government lower than those provided in Section II. B (1)(a) herein, to the Provincial Government for the setting of appropriate speed limits therein, subject to limitations set in section 62 of RA 4136.

## **C. Municipal, City and Barangay Roads**

### **1. Classification of Municipal, City and Barangay Roads**

- a. Pursuant to their mandate under Section 38 of RA 4136 and Sections 447 (a)(5)(vi) and 458 (a)(5)(vi) of RA 7160, all City and Municipal Governments are hereby enjoined to classify all Municipal or City Roads and Barangay Roads within their jurisdiction for the purpose of setting the appropriate speed limits.
- b. The City or Municipal Government, through its Sanggunian, shall classify all Municipal or City Roads as either Municipal or City Streets or Crowded Streets as provided under RA 4136, based on actual road conditions as provided in Volume IV of the 2015 DPWH Design Guidelines, Criteria and Standards. Unless otherwise provided by an ordinance duly enacted by the appropriate City or Municipal Government, the following speed limits provided under RA 4136 shall apply in Municipal or City Streets, Barangay Roads and Crowded Streets.

<b>Road Classification</b>	<b>Maximum Allowable Speed</b>	
	<b>Passenger Cars, Motorcycles, and similar vehicles</b>	<b>Motor Trucks, Buses, and similar vehicles</b>
Municipal or City Streets	30 kph	30 kph
Barangay Roads	20 kph	20 kph
Road collector or "Crowded Streets"	20 kph	20 kph

### **2. Speed Limit Ordinances for Municipal or City, and Barangay Roads**

Pursuant to their mandate under Sections 447 (a)(5)(vi) and 458 (a)(5)(vi) of RA 7160, all City and Municipal Governments shall, as far as practicable, enact a speed limit ordinance classifying Municipal or City, and Barangay Roads and/or "Crowded Streets," setting the applicable speed limits therefor, subject to limitations set in section 62 of RA 4136, and imposing the appropriate penalties for the violation thereof. City and Municipal Governments may refer to the Template Speed Limit Ordinance (Annex A) for guidance on the key provisions of the speed limit ordinance.

For municipalities and component cities, the Sangguniang Bayan or Panlungsod shall be required to submit their speed limit ordinances to the Sangguniang Panlalawigan for review, in accordance with Sections 56 and 468 (a)(1)(i) of the Local Government Code.

## **D. Common Provisions**

### **1. Lower Speed Limits**

City and Municipal Governments may impose a speed limit lower than the maximum allowable speed limits under Section 35 of RA 4136 for National, City, Municipal or Barangay Roads when the actual road condition, road furniture, road use or road user mix require, for public safety, in accordance with Volume IV of the 2015 DPWH Design Guidelines, Criteria and Standards; *Provided that*, no City or Municipal Government shall enact an ordinance setting speed limits in excess of the maximum allowable speed limits provided under Section 35 of RA 4136; *Provided further that*, in the case of National Roads, the City or Municipal Government shall secure the approval of the LTO Regional Office and DPWH Regional Office as provided in Section II. A (2) of this Joint Memorandum Circular. *Provided finally, that*, in the case of Provincial Roads constructed and/or maintained by the Provincial Government, the Sangguniang Panlungsod or Sangguniang Bayan shall recommend safer speeds to the Provincial Government for the setting of appropriate speeds therein, in accordance with Section B (2).

### **2. Determination of Crowded Streets**

City and Municipal Governments shall identify roads or stretches of roads that may be considered as "crowded streets" in accordance with Section 35 (b) of RA 4136.

For purposes of this Joint Memorandum Circular, "crowded streets" shall refer to streets with heavy pedestrian traffic, including all streets within a five hundred (500)-meter radius of schools, public transportation terminals, markets, government buildings, churches and other places of worship, recreational places, facilities frequented by the youth, parks, shopping malls, movie houses, hotels, restaurants, and other public places as may be determined by the City or Municipal Government. In case of linear strips of crowded areas, the reckoning point for the five hundred (500)-meter radius shall be the first and the last crowded public place. The actual start and end point of the crowded street shall depend on the location of the road sign installed for this purpose.

### **3. Supervision and Monitoring of Road Classification**

The DOTr, LTO, and DPWH shall supervise and monitor the classification of roads and setting of speed limits by City and Municipal Governments. The City and Municipal Governments shall direct all concerns to the following offices:

For concerns related to (i) the DRIVER System; and (ii) for requests for training on enactment of the speed limit ordinance	DOTr	Office of the Undersecretary Road Transport and Infrastructure
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For concerns related to speed limit setting and enforcement	LTO	Office of the Executive Director
For concerns related to speed limit setting	DPWH	Office of the Director Bureau of Quality and Safety
For concerns related to classification of roads	DPWH	Office of the Director Planning Service
For concerns related to speed limit enforcement (Metro Manila area)	MMDA	Office of the Director Traffic Discipline Office

#### **4. Training on Speed Limit Setting and Enforcement**

The DOTr, through the LTO, in coordination with the DILG, DPWH and civil society organizations shall be responsible for training and information dissemination on speed limit setting and enforcement strategies, to assist City and Municipal Governments in the enactment and implementation of local speed limit ordinances and related policies.

#### **5. Deputation of Law Enforcement Officers**

- a. The LTO shall develop a training module for speed limit enforcement and disseminate the same through LTO Regional Offices.
- b. All City and Municipal Governments shall, when necessary, determine the number of additional Law Enforcement Officers (LEOs) necessary for the implementation of the ordinance, and submit a request for the conduct of a deputation training on speed limit enforcement for any additional LEO required by the City or Municipal Government, prior to the enactment of the speed limit ordinance. This provision shall not be construed as to prohibit City and Municipal Governments from enforcing its speed limit ordinance through their local traffic units.
- c. For purposes of this Joint Memorandum Circular, "LEOs" shall, refer to members of the Philippine National Police (PNP), members of the Metro Manila Development Authority (MMDA), and other public officers deputized by the LTO for speed limit enforcement.
- d. All LTO Regional Offices are hereby directed to prioritize the deputation training of LEOs to be assigned to the enforcement of speed limit ordinances.

#### **6. Installation of Speed Limit Signs**

- a. The City or Municipal Government shall be responsible for appropriating funds for the procurement and installation of speed limit signs along

Municipal Roads, City Roads, and Barangay Roads. For Provincial Roads constructed and/or maintained by the Provincial Government, the Provincial Government shall perform such function.

- b. For portions of National Roads passing through the City or Municipal Government's jurisdiction that have been duly classified as Crowded Streets, for which no speed limit sign has been installed, the City or Municipal Government may, subject to approval of the LTO and DPWH Regional Offices, cause the procurement and installation of speed limit signs, or request the DPWH to install said speed limit signs.
- c. All speed limit signs installed pursuant to this Joint Memorandum Circular shall, as far as practicable, comply with the technical specifications prescribed under the current Road Signs and Pavement Markings Manual of the Highway Safety Design Standards issued by the DPWH.

#### **7. Road Safety Engineering**

- a. All City and Municipal Governments shall be guided by Volume IV of the 2015 DPWH Design Guidelines, Criteria and Standards and shall consult the DPWH Regional Office on the road safety engineering design required to ensure that the speed limit ordinance is safely implemented.
- b. The DPWH Regional Office shall provide guidance on the need for transition speed limits and appropriate traffic calming measures to ensure that speed limits are safely observed by road users.
- c. The DPWH shall provide the necessary infrastructure and assistance required to accommodate the installation of speed sensors or radars on national highways.

#### **8. Database of Speed Limit Policies**

- a. All LGUs are enjoined to submit local speed limit ordinances, including existing speed limit ordinances, traffic codes, and ordinances with speed limit provisions, to the appropriate LTO Regional Office for monitoring and coordination.
- b. All LTO Regional Offices shall transmit all local speed limit ordinances submitted by LGUs to the DOTr. The DOTr, through the LTO, shall maintain a centralized database of speed limits and speed limit ordinances passed by LGUs, which shall be accessible to the public.

#### **9. Road Inventory**

- a. All City and Municipal Governments are enjoined to conduct and maintain an inventory of roads to facilitate the determination of road classifications and



appropriate speed limits. For this purpose, City and Municipal Governments may consult the DPWH, and request access to its maps of national primary and secondary roads, expressways, and provincial roads, if needed.

- b. All road inventories of City, Municipal and Provincial Roads shall be transmitted to the DILG, DPWH and DOTr by email for information and monitoring.
- c. At the end of every year, the City and Municipal Governments shall update the inventory, as necessary.

#### **10. Collection and Analysis of Road Crash Data**

- a. City and Municipal Governments shall be primarily responsible for the collection and encoding of road crash data for road crashes occurring within their jurisdiction, into the Data for Road Incident Visualization Evaluation and Reporting (DRIVER) System. Road crash data shall refer to information relating to the crash incident, which, at the minimum, should include the following:
  - i. Date and time
  - ii. Location (with address, land marks, and coordinates, if available)
  - iii. Name of people involved
  - iv. Number of people involved
  - v. Cause
  - vi. Collision type
  - vii. Severity (fatal, injury, property damage)
  - viii. Vehicle or road user type
  - ix. Involvement of children (0-12)

As far as practicable, City and Municipal Governments shall adopt the template road crash data report (Annex B) or the Investigative Report Form of the Philippine National Police.

- b. All City and Municipal Governments shall create or assign a specific office, department or focal person for the collection, monitoring and analysis of road crash data. Absent such designation, the office assigned to traffic management shall perform this function.
- c. City and Municipal Governments are directed to encode and record their road crash data through the DRIVER System of the DOTr, which shall be the central and nationwide repository for road crash data. The DOTr, in coordination with the DILG, DPWH and civil society organizations, shall be responsible for training and information dissemination on the use of the DRIVER System.
- d. City and Municipal Governments intending to use the DRIVER system shall designate the analyst/s assigned to use the DRIVER system. The analyst shall

be granted access to the system by submitting a letter of intent (Annex C) to the DOTr, signed by the mayor, through any of the following modes:

**Mail:**

Undersecretary for Road Transport and Infrastructure  
Department of Transportation, The Columbia Tower, Ortigas  
Avenue, Brgy. Wack-Wack, Mandaluyong City

E-mail: roadsafety.dotr@gmail.com

Fax: 727-7948

City and Municipal Governments may also request to cancel, delete or revise user access by submitting a letter of intent to the DOTr.

- e. City and Municipal Governments without reliable internet access may request the Regional LTO or Regional DILG Office for permission to use its Information Technology infrastructure to upload their data regularly.

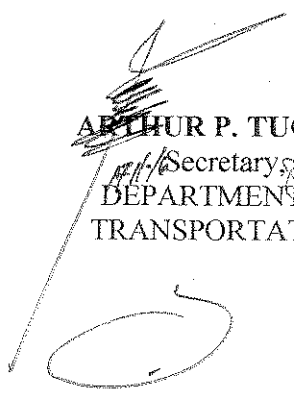
### 11. Review and Evaluation of Impact


Within three (3) years from the effectivity of this Joint Memorandum Circular, the DOTr shall review and evaluate this policy to determine its impact on road safety and to identify other interventions needed to reduce the number of road crashes in the Philippines.


### 12. Compliance Monitoring

Within six (6) months from the effectivity of this Joint Memorandum Circular and annually thereafter, the LTO Regional Offices are hereby directed to report to the DOTr on the LGUs' compliance with this Joint Memorandum Circular. Failure to comply with this Joint Memorandum Circular may subject the liable officer to administrative sanctions.

For compliance.

  
**ARTHUR P. TUGADE**  
Secretary,  
DEPARTMENT OF  
TRANSPORTATION

  
**MARK A. VILLAR**  
Secretary,  
DEPARTMENT OF  
PUBLIC WORKS AND  
HIGHWAYS

  
**CATALINO S. CUYAYAN**  
OIC-Secretary,  
DEPARTMENT OF  
INTERIOR AND LOCAL  
GOVERNMENT

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Undersecretary for Road Transport and Infrastructure  
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**ARTHUR P. TUGADE**  
Secretary,  
DEPARTMENT OF  
TRANSPORTATION

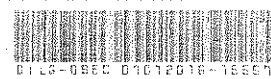
  
**MARK A. VILLAR**  
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PUBLIC WORKS AND  
HIGHWAYS

  
**CATALINO S. CUY**  
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DEPARTMENT OF  
INTERIOR AND LOCAL  
GOVERNMENT

Department of Public Works and Highways  
Office of the Secretary



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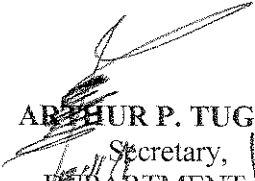
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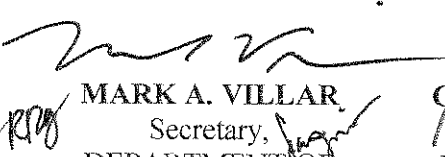
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For compliance.

  
**ARTHUR P. TUGADE**  
Secretary,  
DEPARTMENT OF  
TRANSPORTATION

  
**MARK A. VILLAR**  
Secretary,  
DEPARTMENT OF  
PUBLIC WORKS AND  
HIGHWAYS

  
**CATALINO S. CUY**  
OIC-Secretary,  
DEPARTMENT OF  
INTERIOR AND LOCAL  
GOVERNMENT

Department of Public Works and Highways  
Office of the Secretary



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**Republic of the Philippines**  
 City / Municipality of [•]  
 Province of [•]  
 Office of the Sangguniang [Panlungsod / Bayan]

**EXCERPT FROM THE MINUTES OF THE [•] REGULAR SESSION OF THE CITY / MUNICIPAL COUNCIL OF [•] OF THE CITY / MUNICIPALITY OF [•], PHILIPPINES, HELD AT THE SESSION HALL, [supply address], ON [supply date].**

**PRESENT:**

[•]  
Vice Mayor and Presiding Officer

[•]	Member
[•]	Member
[•]	Member
[•]	Member
[•]	Member
[•]	Member

**ABSENT:**

**[NONE]**

**ORDINANCE No. [•]**

**AN ORDINANCE PROVIDING FOR THE SPEED LIMITS FOR ALL KINDS OF ALL MOTOR VEHICLES WITHIN THE TERRITORIAL JURISDICTION OF THE [CITY / MUNICIPALITY] OF [•], PROVIDING PENALTIES FOR THE VIOLATION THEREOF, COLLECTION OF ROAD CRASH DATA, AND APPROPRIATING FUNDS FOR THIS PURPOSE.**

Sponsored by [•]

WHEREAS, every year, an estimated 1.2 million die and over 50 million are injured in road crashes across the world, with around 85% of these numbers coming from low- and middle-income countries;

WHEREAS, in 2011, the Philippines, through the Department of Transportation (DOTr), developed the Philippine Road Safety Action Plan (PRSAP) 2011 to 2020, with the goal of reducing the number of road crashes in the Philippines by 50% by 2020

WHEREAS, since the development of the PRSAP, the number of road crashes has been steadily rising;

Option 1 for preambular clause on road crashes in the LGCJ, if data is available:

Option 1A: If the number of road crashes in the City / Municipality is established:

*[WHEREAS, in the [City / Municipality] of [•], the number of road crashes is a cause for significant concern. In the year [•], the [City / Municipality] recorded [•] road crashes resulting in [•] fatalities and [•] injuries, and with increasing motorization, these numbers are expected to rise;]*

Option 1B: If the number of road crashes in the City / Municipality is rising:

*[WHEREAS, in the City / Municipality of [•], the number of road crashes is also rising, from [•] road crashes in the year [•], to [•] road crashes in [•], and then [•] road crashes in [•]. These road crashes have resulted in a total [•] fatalities and [•] injuries, in just [•] years.]*

WHEREAS, speeding is the most important contributor to road fatalities and is at the core of the road injury problem, as it influences both crash risk and crash severity, and as it significantly affects vulnerable road users;

WHEREAS, the WHO prescribes the setting and strong enforcement of speed limits as one of the most effective interventions in significantly reducing road crashes and road crash fatalities and injuries;

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

WHEREAS, under Sections 447 (a)(5)(vi) and 458 (a)(5)(vi) of Republic Act No. 7160 otherwise known as the Local Government Code, cities and municipalities have the power to regulate traffic in all streets and bridges within their territorial boundaries, and to enact measures that will enhance public health, safety, convenience, maintain peace and order, and promote the general welfare of their inhabitants;

**Option 2 for preambular clause on objective of reducing road crashes in the LGU, if data is available:**

**Option 2A: If the number of road crashes in the City / Municipality is established:**

*[WHEREAS, in order to reduce the number of road crashes in the [City / Municipality] of [\*] and/or minimize their severity, there is a need to regulate speed limits in roads within its territorial jurisdiction;]*

**Option 2B: If road crash data is not available:**

*[WHEREAS, there is a need to regulate speed limits in roads within the territorial jurisdiction of the City / Municipality of [\*] in order to protect all of its road users from road crashes;]*

WHEREAS, in view of the mandate of this Sangguniang [Panlungsod / Bayan] to classify roads and to regulate all streets and bridges within the local government unit's territorial jurisdiction, under RA No. 4136 and RA No. 7160, the Sangguniang [Panlungsod / Bayan] ng [\*] conducted a series of consultations with the Land Transportation Office (the Metro Manila Development Authority), and the Department of Public Works and Highways, and public hearings to classify roads and to determine the appropriate speed limits that would ensure the safety and convenience of all of its inhabitants and road users;

WHEREFORE, be it ordained by the Sangguniang [Panlungsod / Bayan] ng [\*], assembled in regular session with a quorum present, that:

#### **Section 1. Title.**

This Ordinance shall be known as "AN ORDINANCE PROVIDING FOR THE SPEED LIMITS FOR ALL MOTOR VEHICLES WITHIN THE TERRITORIAL JURISDICTION OF THE [CITY / MUNICIPALITY] OF [\*], PROVIDING PENALTIES FOR THE VIOLATION THEREOF, COLLECTION OF ROAD CRASH DATA, AND APPROPRIATING FUNDS FOR THIS PURPOSE."

#### **Section 2. Purpose.**

This ordinance is enacted to safeguard all road users within the territorial jurisdiction of [\*], and to promote public health, safety, and convenience.

#### **Section 3. Coverage.**

This ordinance shall apply to all types of motor vehicles driven within, or passing through, the [City / Municipality] of [\*], and the drivers and owners thereof.

#### **Section 4. Interpretation.**

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

#### **Section 5. Definition of Terms.**

As used in this Ordinance, the following words and phrases shall have the meanings ascribed to them in this Section:

- a) "[City/Municipal] Streets" shall refer to roads within the Poblacion, roads that connect to the National and Provincial Roads, and roads that provide inter-barangay connections to major Municipal and City Infrastructure without traversing Provincial roads, within the jurisdiction of the [City/Municipality] of [\*], not otherwise designated as National Roads, Provincial Roads, Barangay Roads, and Crowded Streets.
- b) "Crowded streets" shall refer to streets with heavy pedestrian traffic, including all streets within a one-kilometer radius of the perimeter of schools, public transportation terminals, markets, government buildings, churches and other places of worship, recreational places, facilities frequented by the youth, parks, shopping malls, movie houses, hotels, restaurants, and other public places as may be determined by the city or municipality. In case of linear strips of crowded areas, the reckoning point for the five hundred (500)-meter radius shall be the first and the last crowded public place.
- c) "Driver" shall refer to any person operating a motor vehicle.
- d) "Impoundment" shall refer to the act of placing a motor vehicle in a designated impoundment or holding lot by an authorized traffic law enforcement officer.
- e) "Law Enforcement Officer" shall, as appropriate, refer to members of the Philippine National Police (PNP), members of the Metro Manila Development Authority (MMDA), and other public officers, such as barangay captains or barangay officials, authorized by this [City / Municipality] to enforce this Ordinance.
- f) "Motor Vehicle" shall refer to any vehicle propelled by any power other than muscular power using the public highways, but excepting road rollers, trolley cars, street-sweepers, sprinklers, lawn mowers, bulldozers, graders, fork-lifts, amphibian trucks, and cranes if not used on public highways, vehicles that run only on rails or tracks, and tractors, trailers and traction engines of all kinds used exclusively for agricultural purposes. Private cars, private jeepneys, utility mini-buses, passenger jeepneys, trucks of all kinds, motorcycles, and tricycles, vans, electric motorcycles, and electric cars shall be considered as vehicles.
- g) "Owner" shall refer to the person in whose name the motor vehicle is registered, as indicated on the Certificate of Registration issued by the Land Transportation Office.
- h) "Road" shall refer to any public highway, street, thoroughfare, alley, boulevard, and the like within the [City / Municipality] of [\*].
- i) "Speed gun" shall refer to a speed measuring device using radar detection and ranging (RADAR) or light detection and ranging (LIDAR) technologies for the purpose of determining the speed of motor vehicles.
- j) "Speed enforcement camera" shall refer to camera-based speed enforcement systems that may be installed on highways or used by law enforcement officers to determine the speed of motor vehicles for purposes of detecting violations of speed limits.
- k) "Traffic Citation Ticket" or "TCT" shall mean the ticket issued by law enforcement officers in the [City / Municipality] of [\*] for a violation of its traffic ordinance/s.

## Section 6. Speeding.

- No person shall drive a motor vehicle on any road in this [City / Municipality] at a rate of speed greater than that permitted by this Ordinance.
- No person shall drive a motor vehicle at a speed that is not appropriate for the width, traffic, grades, crossing, curvatures, visibility, or other condition of the road, as to endanger the safety of road users and their property.
- No person shall drive a motor vehicle at a speed greater than that which will permit the vehicle to stop within the assured clear distance ahead, in order to prevent a road crash.

## Section 7. Speed Limits.

- Subject to the provisions of the preceding paragraph and unless otherwise provided herein, the speed limit on all streets within the [City / Municipality] of [•] shall be 30 kilometers per hour (kph) for all motor vehicles.

\* A lower speed limit may be specified should the actual road conditions, the design speed and operational speed, road furniture or road user mix require. For example, where City / Municipal streets generally has a heavy vulnerable road user mix, a lower speed limit of 20 kph may be set as the default speed limit. For guidance, the City / Municipality may refer to Volume IV of the 2017 DPWH Design Guidelines, Criteria and Standards Manuals and consult with the Regional Offices of the LTFRB and DPWH with regard to classifying local roads and setting applicable limits.

- The following speed limits shall apply to the roads and motor vehicles identified below, and other similar motor vehicles:

Road Classification (RA 4136)	Roads covered	Cars / Motorcycles / and similar motor vehicles	Trucks / Buses / Tricycles and similar motor vehicles
Open Roads	(National Primary Roads) [•] (ex. [•] highway, [•] avenue, etc.)	80 kph	50 kph
	(National Secondary Roads) [•] (ex. [•] highway from [•] crossing to [•] crossing)	70 kph	50 kph
	(National Tertiary Roads) [•] (ex. [•] highway from [•] crossing to [•] crossing)	60 kph	50 kph
Through streets	(Provincial Roads) [•] (ex. [•] highway from [•] crossing to [•] crossing)	40 kph	30 kph
Crowded Streets	(Barangay Local and Crowded Streets) [•] (ex. [•] street from [•] crossing to [•] crossing)	20 kph	20 kph



\* A lower speed limit may be specified, should the conditions, the design speed and operational speed, road furniture or road user mix require. For example, on a highway, designated as a Municipal/City Roads has a heavy vulnerable road user mix (motorcycles, motorbikes and the like), a lower speed limit of 30 kph for cars and motorcycles, and 20 kph for trucks and buses may be specified. For guidance, the City / Municipality shall refer to Volume IV of the 2015 DPWH Design Guidelines, Technical Standards Manuals and consult with the Regional Offices of the LTO and DPWH with regard to classifying roads and setting applicable limits therefor

## **Section 8. Exceptions.**

The speed limits prescribed under Section [7] shall not apply to drivers or owners in the following circumstances, provided that these exemptions shall not be construed to allow unnecessary fast driving or endanger the life, health, or property of any person:

- a) The driver of a motor vehicle carrying a physician or health worker who is responding to an emergency call;
- b) The driver of a hospital ambulance or emergency vehicle on the way to and from the place of a road crash or other emergency;
- c) Any driver bringing a wounded, injured, or sick person for emergency treatment to a hospital, clinic or any other similar place;
- d) The driver of a motor vehicle belonging to the Armed Forces, while in use for official purposes in times of riot, insurrection or invasion;
- e) The driver of a motor vehicle, when he/she is in pursuit of a criminal;
- f) A law enforcement officer who is trying to locate, take or apprehend a violator of traffic laws;
- g) The driver officially operating a motor vehicle of any fire department, while responding to an emergency.

## **Section 9. Lead Agency.**

The [Traffic Management Committee\*] is hereby designated as the lead agency for the implementation and enforcement of this Ordinance and shall be responsible for the general supervision of and coordination with support agencies and offices.

\*The lead agency may be any appropriate office for the implementation of traffic ordinances. If City / Municipality has no such office, the lead agency shall be the Department of Public Order and Safety or "Traffic Engineering Division" or any other existing office for traffic management.

## **Section 10. Responsibilities of the [Lead Agency].**

The [Traffic Management Committee] shall, in addition to other functions under other ordinances, orders, or policy issuances, have the following functions:

### **Section 10.1. Enforcement.**

- a) Cause the installation of speed limit signs in accordance with the speed limits provided in Section 7;
- b) Assign traffic law enforcement officers for the enforcement of speed limits within the [City / Municipality] of [•];
- c) Enforce this Ordinance, through traffic law enforcement officers, by apprehending offending drivers / motor vehicles, issuing TCIs, and resolving protests, without prejudice to the authority of the Land Transportation Office (LTO) to enforce traffic rules and regulations, including reckless driving;
- d) Coordinate with the Philippine National Police of the [City / Municipality] of [•], barangay officials, and other deputized law enforcement officers to harmonize deployment and field operations within the [City / Municipality] of [•];
- e) Train law enforcement officers on the use of speed guns, speed enforcement cameras, and other speed enforcement strategies, in accordance with the LTO.

### **Section 10.2 Data collection, planning, and coordination.**

- a) Collect road crash data, including road crash fatalities, injuries, and other relevant information, to be submitted quarterly to the Sangguniang [Panlungsod / Bayan] and the Office of the Mayor for the purpose of developing road safety policies and to the DOTr;
- b) Submit a speed management plan to the Mayor of the [City / Municipality] of [•] annually, identifying "traffic blackspots" or areas with high road crash incidence, and proposing measures to address the same, and proposing appropriate speed limits for roads within the [City/Municipality] to improve road safety;
- c) Submit an annual budget plan in accordance with Section 16, for the implementation and enforcement of speed limits, which shall include, among others, the installation and maintenance of speed limit signs, procurement and maintenance of speed guns and speed enforcement cameras, construction of speed management infrastructure, and other speed calming engineering treatments, and information and education campaigns;
- d) Coordinate with the City Engineer's Office and DPWH on the construction of infrastructure and other engineering treatments designed to manage or calm speed; and
- e) Ensure connectivity with the current LTO Information Systems (IT) to allow for uploading of the details of drivers who fail to pay fines and other penalties, and fail to redeem their driver's license. In cases where the connection with the LTO IT system has not yet been established, the [Traffic Management Committee] shall submit a quarterly report to the Regional LTO containing the relevant information.

### **Section 10.3. Public information campaign and other tasks.**

- a) Conduct public information campaign on speed limit enforcement and road safety; and
- b) Perform other tasks as may be assigned by the Mayor for the purpose of implementing this Ordinance.

**Section 11. Speed Limit Signs.** The [Traffic Management Committee] is hereby directed to install appropriate traffic signs indicating the speed limit on all roads within the [City / Municipality]. For National Roads, the Traffic Management Committee shall coordinate with the DPWH Regional Office on the installation of appropriate speed limit signs. The speed limit signs shall conform to the standards prescribed by the DPWH Manual on Traffic and Safety Design Standards.

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

**Section 12. Enforcement Procedure.** The enforcement of speed limits within the [City/Municipality] of [•] shall be conducted in accordance with the following procedure:

#### **Section 12.1. Violation of Section 6(a) detected using speed guns.**

- a) Upon detection of a violation of Section 6(a) using speed guns, the law enforcement officer shall flag the offending driver or motor vehicle down.
- b) Upon apprehension, the law enforcement officer shall inform the offending driver of the violation and show him the speed detected by the speed gun. The law enforcement officer shall demand the presentation of the driver's license of the offending driver and motor vehicle certificate of registration and official receipt of registration.
- c) The law enforcement officer shall indicate the following details on the TCT:
  - i. name and address of the driver
  - ii. driver's license number and date and place of issuance
  - iii. driver's birth date
  - iv. name of motor vehicle owner
  - v. certificate of registration number
  - vi. speed registered on the speed gun
  - vii. speed limit on the road where the violation was committed

- d) Upon issuing the TCT to the offending driver, the law enforcement officer shall confiscate the driver's license. The TCT shall be valid as a temporary operator's permit for a period of seventy-two (72) hours from the time of issuance.
- e) The driver shall have seven (7) days within which to settle the fine or to file a protest in accordance with Section 13. Failure to file a protest within the period shall be deemed a waiver of the right to protest and shall result in the automatic resolution of the violation against the registered owner.

**Section 12.2. Violation of Section 6(b) using speed enforcement cameras.**

- a) Upon detection of a violation of Section 6(b) using speed enforcement cameras, the [•] shall issue a notice to the registered owner of the motor vehicle via registered mail.
- b) The notice shall indicate the speed limit of the road where the violation was committed and shall include a photograph of the vehicle and the speed detected by the camera at the time of violation legibly shown.
- c) The registered owner shall be presumed to be the driver of the motor vehicle unless he / she can prove that the motor vehicle was driven by another person.
- d) The registered owner shall have seven (7) days from the date of receipt of the notice within which to settle the fine indicated in the notice or to file a protest in accordance with Section 13. Failure to file a protest within the period shall be deemed a waiver of the right to protest, and shall result in the automatic resolution of the violation against the registered owner.
- e) In case of a protest based on the identity of the driver, the registered owner shall have the duty to provide under oath the name of the driver of the motor vehicle, his known address, and other details as may be required by the Traffic Management Committee. Except in cases where the protest is based on speed, no protest based on the identity of the driver shall be allowed unless the alleged date and time of violation is identified.
- f) Upon a finding that the registered owner is not the driver of the motor vehicle at the time of the violation, the Traffic Management Committee shall send a notice to the driver, as identified by the registered owner, within the requirements of Sections 12.2(b) and 12.2(d).

**Section 12.3 Apprehension for speeding under Section 6(b) and (c). –**

- a) Where a driver is found to have been reckless under 6(b) and (c) of this Ordinance, the offense shall be considered "reckless driving." The law enforcement officer shall flag down the driver and inform him of the violation and the circumstances surrounding the violation.
- b) Upon apprehension, the law enforcement officer shall inform the offending driver of the violation, demand the presentation of the driver's license of the offending driver and motor vehicle certificate of registration and a valid receipt of registration.
- c) The law enforcement officer shall add the following details on the TCT:
  - i. name and address of the driver
  - ii. driver's license number and date of issuance
  - iii. name of motor vehicle owner
  - iv. certificate of registration number
- d) Upon issuing the TCT to the offending driver, the law enforcement officer shall confiscate the driver's license. The TCT shall be valid as a temporary operator's permit for a period of seventy-two (72) hours from the time of issuance.
- e) The driver shall have seven (7) days within which to settle the fine or to file a protest in accordance with Section 13. Failure to file a protest within the period shall be deemed a waiver of the right to protest and shall result in the automatic resolution of the violation against the registered owner.

waiver of the right to protest as well as the automatic resolution of the violation against the registered owner.

### Section 13. Protest adjudication.

#### Option 3: Protest Adjudication

Option 3A: If City / Municipality has an established Traffic Court, the Traffic Court created pursuant to [City / Municipal] Ordinance No. [\*] shall continue to hear and resolve protests in relation to this Ordinance.

Option 3B: If City / Municipality has no Traffic Court, the protest shall be lodged with the [Traffic Management Committee]. The [Traffic Management Committee] shall conduct an investigation and hearing, and shall have the authority to issue summons to law enforcement officers, registered owners of motor vehicles, and receive evidence in relation to the protest.

In case of dismissal of the protest, the driver or registered owner shall have seven (7) days within which to settle the fine indicated in the citation. Otherwise, the driver or registered owner shall be issued a clearance by the [Traffic Management Committee], indicating that the driver / registered owner has been cleared of the violation. The [Traffic Management Committee] shall then return the confiscated license, and directing the appropriate office to return the confiscated license.

### Section 14. Fines and Penalties.

#### Section 14.1 Fines and concurrent penalties

Any person who violates this Ordinance shall be subject to the following penalties:

Offense	Fine	Concurrent penalty
First offense	Php500.00*/Php1,000.00**	Four (4) hour seminar on road safety
Second offense	Php1,000.00*/Php2,000.00**	Four (4) hour seminar on road safety and three (3) hours of community service
Third and subsequent offenses	Php1,500.00*/Php3,000.00**	Impoundment of motor vehicle and imprisonment of not less than thirty (30) days, at the discretion of the court.

\*For municipalities; \*\* For cities

#### Option 4 for additional fines:

Option 4A for municipalities: In addition to the fines provided in this Section, a fine of Php500.00 for the first and second offense, and Php1,000.00 for the third and subsequent offense, shall be imposed where the speed of the apprehended vehicle exceeds the posted speed limit by more than 30 kph; provided, that the total fine does not exceed P2,000.00.

Option 4B for cities: In addition to the fines provided in this Section, a fine of P1,000 for the first and second offense, or P2,000 for the third and subsequent offense, shall be imposed where the speed of the apprehended vehicle exceeds the posted speed limit by more than 30 kph; provided, that the total fine does not exceed P5,000.00.

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

#### Section 14.2 Impoundment.

In the event that the motor vehicle involved in a violation is found to have been involved in a violation of Section 6 of this Ordinance for the first and subsequent offenses, the vehicle shall be impounded for five (5) days. The driver or registered owner of the offending motor vehicle shall not

be released until the term of the impoundment of the motor vehicle has been served. The offending driver shall present the offending motor vehicle for impoundment at the [Traffic Management Committee]'s designated impoundment lot.

### Section 14.3 Imprisonment.

The [Traffic Management Committee], with the assistance of the Office of the City Legal Officer, shall be responsible for the filing of cases before the [Municipal Trial Court / Municipal Trial Court] for the third and subsequent violations of this Ordinance.

### Section 15. Effect of failure to settle fines and penalties.

In the event of failure to settle the fines or penalties within the period provided in this Ordinance, the [Traffic Management Committee] shall be responsible for the filing of cases before the appropriate court for the enforcement of said fines or penalties. The [Traffic Management Committee] shall also submit the details of the offending driver and registered owner to the Land Transportation Office, requesting the said office to hold in abeyance the registration of the motor vehicle involved in the violation until such time that the fine is settled or the penalty is served.

The unpaid fine shall be subject to an interest rate of one percent (1%) per month, but shall in no case exceed 72 months.

### Option 5. Section [16] Connection to the LTO IT System.

The [Traffic Management Committee] shall endeavor to integrate its system to the LTO IT System to facilitate the submission of details of offenders involved.

### Section 16. Appropriation.

The amount of \_\_\_\_\_ Pesos (\_\_\_\_\_ ) from the general fund of the [City / Municipality] of [ ] is hereby appropriated for the first year of implementation of this Ordinance, with the following budget program:

Project Activities	Amount
1. Procurement of _____	
2. Procurement of _____ enforcement personnel	
3. Training of _____ officers	
4. Manufacture and installation of speed limit signs	
5. Publication of _____	
6. Additional human resources	
7. Printing of _____	
8. IT requirement for _____ with the LTO IT System	

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

## Section 17. Procurement.

The Office of the Mayor is hereby authorized to cause the procurement of speed guns, speed enforcement cameras, speed limit signs and other equipment in accordance with the above budget program and in compliance with Republic Act No. 9184 and its implementing Rules and Regulations and the Government Procurement Reform Act.

## Section 18. Data Collection, Monitoring and Evaluation.

All traffic citation tickets shall be submitted by the apprehending law enforcement officer to the [Traffic Management Committee], within the prescribed time of issuance thereof.

The [Traffic Management Committee] shall collect road crash data from police reports and other data sources such as hospitals, barangay reports, etc. and shall monitor and evaluate the impact of this Ordinance on the number of road crashes, traffic fatalities and injuries, and traffic flow. The [Traffic Management Committee] shall also collect data on the number of apprehensions, fines collected cases resolved, and other relevant information pertaining to the enforcement of this Ordinance.

Road crash data shall be collected and managed by the [Traffic Management Committee] using the DOTr Data for Road Incident Visualization, Analysis and Reporting (DRIVER) system. Other enforcement data and results of monitoring and evaluation shall be maintained in a database by the [Traffic Management Committee] and submitted to the Sangguniang [Panlungsod / Bayan], the Office of the Mayor on or before 30 January of the following year, and annually thereafter, for purposes of the development of road safety policies.

\*If City or Municipality does not have an IT infrastructure, the [Traffic Management Committee] shall request for access to the IT infrastructure of the Sangguniang [Panlungsod / Bayan] that relevant data are accessed through the DRIVER System.

## Section 19. Review of speed limits.

The [Traffic Management Committee] shall conduct a review of the speed limits provided in this Ordinance every three (3) years, or when the speed limits are inappropriate for the actual road conditions.

## Section 20. Information, Education and Communication Campaign.

The [Traffic Management Committee] shall conduct a continuing information, education, and communication campaign on the speed limits, the [City / Municipality] of [•], the impact of the implementation of this Ordinance, and other related enforcement activities.

## Section 21. Separability Clause.

If any provision of this Ordinance is declared unconstitutional, the remaining portions shall not be affected and shall remain in full force and effect.

## Section 22. Effectivity.

This Ordinance shall take effect with the publication of its promulgation in a newspaper of general circulation and after posting of copies of this Ordinance in conspicuous locations within the [City / Municipality] of [•] for a period of fifteen (15) days.

Voting by roll call on [•] with the following results:

Affirmed	Signature

-----  
The undersigned hereby attests that the foregoing has been verified by the member-authors.

[Name of Secretary of the Sanggunian]  
Secretary of the Sanggunian

VERIFIED:

[Name of Member of the Sanggunian]  
Member, Co-Author

CERTIFIED:

[Name of Vice Mayor, Presiding Officer]  
Vice Mayor / Presiding Officer

Approved on [•].

[Name of Mayor]  
Mayor of the City / Municipality

ROAD CRASH DATA REPORT

DATE:  
TIME:

LOCATION:

COLLISION  
TYPE:

CAUSE:

SEVERITY: (Fatality/Injury/Property Damage)

ESTIMATED COST OF  
DAMAGE:

VEHICLES  
INVOLVED:

TYPE:

MAKE:

NO. OF PEOPLE  
INVOLVED:

NUMBER OF  
CHILDREN INVOLVED  
(Age 0-12):

ROAD USER TYPE: (Pedestrian/Driver/Motorcyclist/Cyclist)

OTHER  
DETAILS:

SKETCH/  
DIGITAL  
IMAGES

NAME OF  
INFORMANT:

CONTACT DETAILS:



LETTER OF INTENT

&lt;Date&gt;

Undersecretary for Road Transport and Infrastructure  
Department of Transportation

Dear Undersecretary:

This is to signify our intent to participate in the nationwide gathering of road crash data through the DRIVER System. Below are the data of our LGU pertinent to the use of DRIVER System:

<b>Name of (Lead) Data Encoder</b>	
<b>Designation</b>	
<b>Email address</b> ( <i>roadsafet..&lt; your city/municipality/province&gt;@gmail.com</i> )	
<b>Alternate email address of office/staff</b>	
<b>Mobile Number</b>	
<b>Landline Number</b>	
<b>Fax Number</b>	

Respectfully,

NAME  
Head of LGU